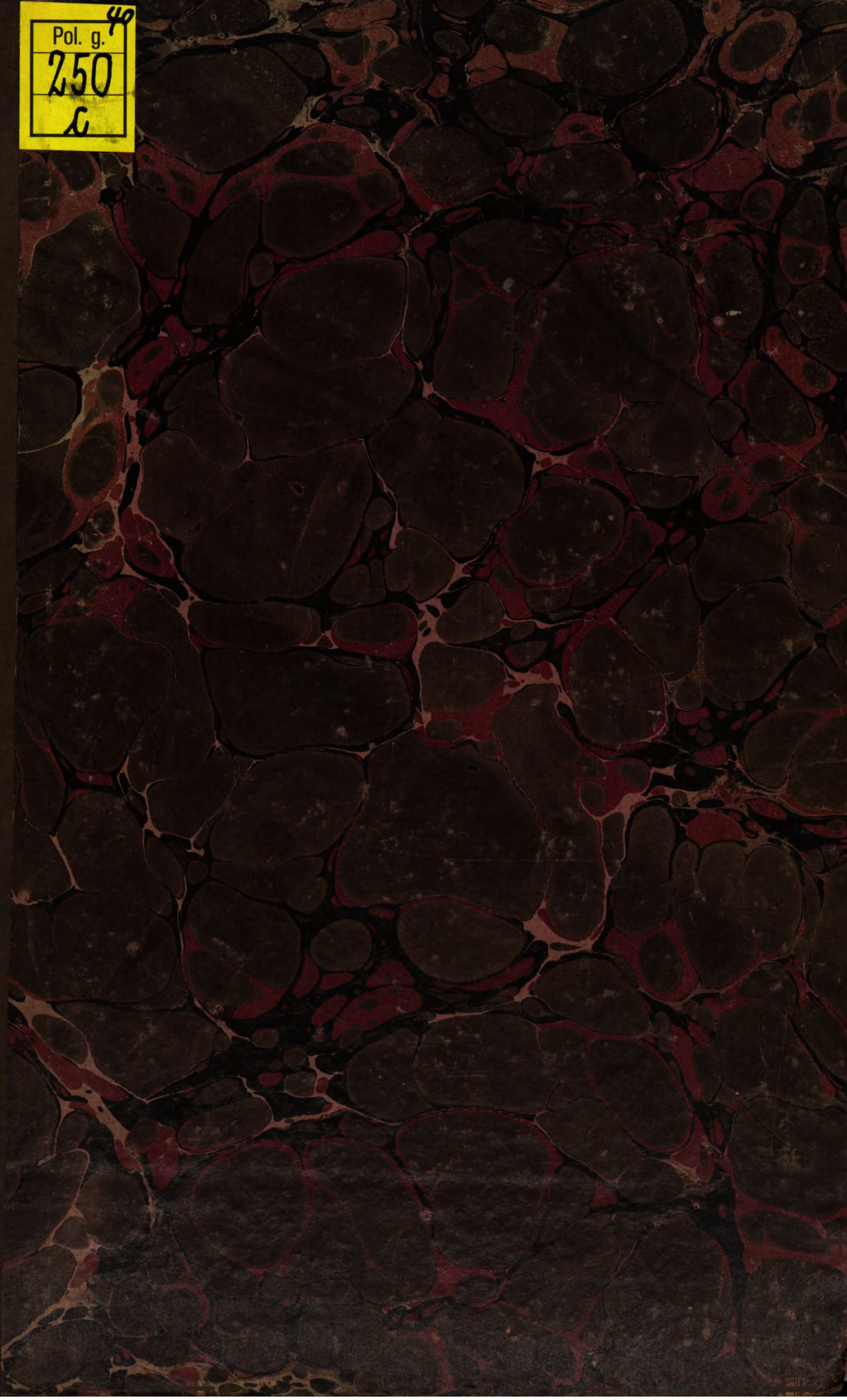


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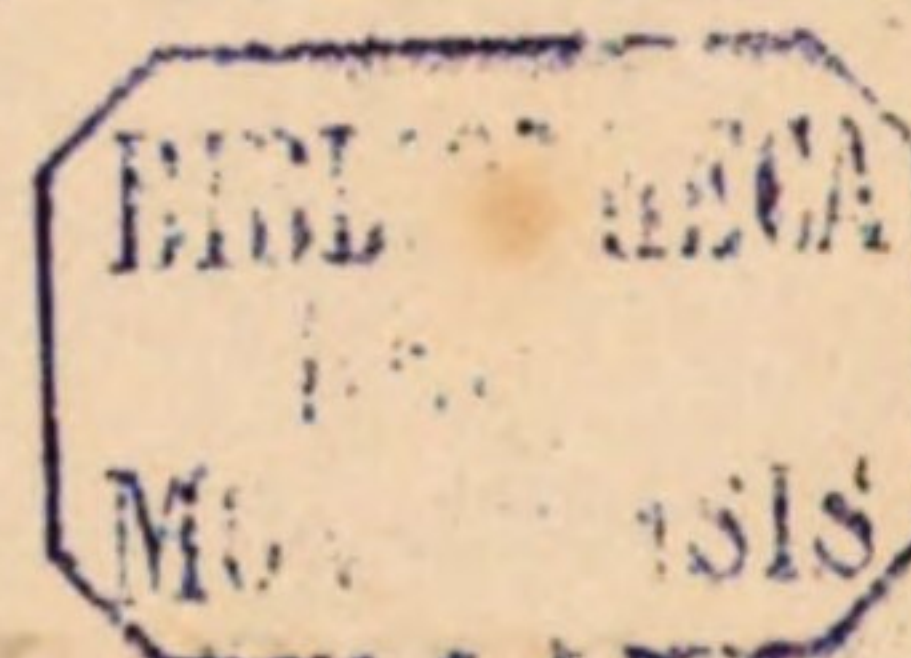
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ESSEX.

HERTFORDSHIRE.

KENT.

SURREY.

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ON

THE CORPORATION OF GRAVESEND.

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CORPORATION OF GRAVESEND.

1. THE jurisdiction of the Corporation of Gravesend extends over the two parishes of Gravesend and Milton, which contain a population of about 10,000 people. Limits.

2. It is said that the corporation existed by prescription before the first Charter, which was granted in the fourth year of Queen Elizabeth. By that charter, after reciting that the town or parishes of Gravesend and Milton were in great ruin and decay, by reason that they had not a common market holden in the town every week, by reason of the diminution or discontinuance of the common passage between Dover and London, and that the common passage by water between Gravesend and London by virtue of the letters patent of Henry IV. confirmed by succeeding sovereigns, was not rightly governed, the Queen piously compassionating the state of the towns and parishes aforesaid, and, desiring to promote them to a better state, granted to the inhabitants thereof to be a body corporate, by the name of the Portreeves and Jurats, inhabitants of the towns and parishes of Gravesend and Milton; to have a court of record before the two portreeves and ten jurats four times a year; and the corporation to consist of two portreeves and a clerk of the market, to be elected annually by the portreeves, jurats and inhabitants, and ten jurats, to be elected by the same body for life, upon vacancies occurring. The charter then grants a market and two fairs, and power to the portreeves and jurats to frame institutions and ordinances for the good governance and support of the ferry and passage from Gravesend to London by water. Charters.

The next, which is the governing charter, was granted in the seventh year of Charles I. There is also a charter of the 3d James II.; but it does not appear to have been ever accepted.

In 1694 a grant of William and Mary, founded upon a writ of *ad quod damnum*, authorized the holding of the market on Wednesdays and Saturdays.

3. The Title of the Corporation in the governing charter is, "The Mayor, Jurats and Inhabitants of the villages and parishes of Gravesend and Milton, in the county of Kent." Title.

4. The Corporation consists of a High Steward, Mayor, Recorder, 12 Jurats, and 24 Capital Inhabitants, also called Common Councilmen. Corporate Body

The Jurats are, upon a vacancy, elected for life, by the mayor, jurats and capital inhabitants, or a majority of them, from among the capital inhabitants. Jurats.

The Capital Inhabitants are, upon a vacancy, elected for life from among the inhabitants of Gravesend, being freemen, by the mayor, jurats and capital inhabitants, or a majority of them. Capital Inhabitants.

5. The several Officers of the Corporation are, a high steward, a mayor, recorder, justice, coroner, chamberlain, town clerk, two serjeants at mace, and a crier. Officers of the Corporation.

6. The office of High Steward is hereditary in the family of the Earl of Darnley. The only functions of the high steward, who has no salary or emoluments, are, to nominate two barristers, for the choice of the corporation, as recorder, and to concur by himself or a deputy, in bye-laws for the regulation of the Long Ferry. High Steward.

7. The Mayor is elected annually, on the first Monday after Michaelmas, by the jurats and capital inhabitants, or a majority of them, from among the body of jurats. Mayor.

He is authorized by the governing charter to appoint a deputy in case of sickness or absence; but the practice is to appoint one for the whole year at the time of the mayor's election.

The mayor acts as chief magistrate and clerk of the market; and it is usual also to confer on him the office of coroner.

As mayor, he has no salary or emoluments; but the office is attended with expense in respect of the customary hospitalities, towards which it is usual to allow a sum of 50*l*.

8. The Recorder, who must be a barrister of nine years' standing, is elected by the mayor, jurats and capital inhabitants, from two persons nominated by the high steward. Recorder.

His office is during the pleasure of the corporation, and he must reside in the town, unless excused by them.

Besides the ordinary duty of legal adviser to the corporation, he is also by the governing charter, a magistrate.

He has a salary of 40*s*. a year, and the like sum for every court he attends as legal adviser of the mayor.

The present recorder does not reside in Gravesend; he attends when required; but his attendance has not, upon an average, been called for more than twice a year since his appointment.

GRAVESEND.
Justice.

9. The Justice is appointed annually the Monday after Michaelmas, by the mayor, jurats and capital inhabitants, from among the jurats. It has been customary to re-elect the eldest jurat for several years in succession. He has no salary or emoluments, and his jurisdiction is not exclusive of the county magistrates.

It was objected that the justice ought to be an inhabitant of Gravesend, and that the present justice resided in a place, called the Blockhouse, which was alleged, but not proved, to be extra-parochial. The Blockhouse, however, is within the town of Gravesend, and whether it be extra-parochial or not, the justice is as accessible there for all purposes as in the adjoining street.

Considerable inconvenience, however, is experienced from the paucity of the magistrates, there being but two, in the absence of the recorder.

Chamberlain.

10. The Chamberlain, who is not named in the governing charter, is elected annually by the mayor, jurats and capital inhabitants, from among the capital inhabitants.

His duties are to receive the revenues and keep the accounts of the corporation, which are audited every year by the whole body.

He has a salary of 17s. 6d., and a per centage on monies collected, which amounts to about 30l. a year.

Coroner.

11. According to the governing charter, the mayor, jurats and capital inhabitants are to appoint annually a Coroner from among the capital inhabitants; but the practice has been to appoint the mayor for the time being.

As coroner, he has 1l. on every inquest, but no salary.

Town Clerk.

12. The Town Clerk is appointed for life by the mayor, jurats and capital inhabitants.

He transacts the law business of the corporation, for which he has a salary of 30l. a year. He is also clerk to the magistrates, and assessor to the mayor in the court of record, in which capacities he receives the ordinary fees; and is also entitled to a fee of 4s. 10d. upon the admission of every freeman.

Serjeants at Mace.

13. Two Serjeants at Mace are appointed annually by the mayor, jurats and capital inhabitants.

Gaoler.

14. One of these serjeants is also Gaoler, in which capacity he has a house, coals and candles, clothes, together with a salary, from which, with other emoluments, he derives about 55l. a year.

The other serjeant has only his clothes.

Crier.

15. The Crier, appointed annually by the mayor, jurats and capital inhabitants, has also his clothes, and the usual charges for crying.

Fines.

16. The Fines for refusing to serve the office of

	£.	s.	d.
Mayor, are	20	—	—
Justice	10	—	—
Jurat	10	—	—
Capital Inhabitant	5	—	—
Chamberlain	5	—	—
For not attending Court	—	3	6

Ruling Body.

17. There is no separate Ruling Body: the making of bye-laws and all the affairs of the corporation are the common province of the entire body of mayor, jurats and capital inhabitants.

Freemen.

18. Persons become free of the town of Gravesend by birth, servitude and purchase:

1st. The first son born to a freeman after his admission, is free; if that son dies, the next in succession, and so on.

2d. An apprenticeship of seven years served with a freeman in Gravesend gives the party who has served it a title to his freedom; and

3d. The freedom of the town is also conferred upon payment of a sum, varying from 6l. to 30l., but usually 20l.

Fees on Admission.

19. The Fee upon Admission to the freedom, under each of the foregoing titles, is 5s. 10d. besides the stamp. There is also a penalty of 8d. a quarter upon parties entitled, neglecting to take up their freedom.

The freemen are, with the exception hereinafter mentioned, exclusively privileged to carry on trade in the town, and, as inhabitants of Gravesend, are by the charter exempted from serving on juries in the county at large.

Persons who have served in the army or navy, are entitled to carry on trade although they be not freemen. But the magistrates, alleging, and apparently with truth, that there are enough public houses already in the town, have refused to license such persons to keep public houses unless they purchase their freedom.

Courts.

20. There is no Court of Quarter Sessions, and the ordinary jurisdiction of the borough justices is not exclusive of the county magistrates, who, however, are not in the habit of interposing.

A Court of Record is held before the mayor and three jurats, from three weeks to three weeks. Its jurisdiction is unlimited in amount. However, few actions are commenced in the

the court; not more than four or five in a year; of which scarcely any proceed to trial. Under a bye-law,

The court has the power to appoint three attornies, with an exclusive privilege to practice therein. At present there is only one, the partner of the town clerk, who attends and taxes costs as assessor to the mayor.

There is a Table of Fees sanctioned by the Court, and the costs of a cause which has proceeded to a trial may amount to 18*l.* or 20*l.*; 12*l.* or 14*l.* for plaintiff, and 6*l.* or 8*l.* for defendant.

If a competent judge were to preside, the number of causes would probably be considerable.

21. The Juries for the Court of Record are taken in rotation by the serjeants at mace

Juries.

from among the qualified inhabitants of the town.

22. There is a Gaol superintended by the mayor and justice, but it is only for debtors in execution, and the safe custody of offenders before commitment, the magistrates being authorized by the charter to commit to the county gaol.

Gaol.

The Property of the Corporation consists of,

Property.

The Market and Town Hall and Gaol,
A House at the Quay,
The Free School,
The Manor of Parrock,
The Ferry of Tilbury,
Certain Tolls, and
Fines paid on the purchase of Freedom, &c.

The following is an Account of the Receipt and Expenditure for the year 1831-2, and an average of three years preceding.

RECEIPTS:				EXPENDITURE:			
	£.	s.	d.		£.	s.	d.
By Balance of last year's accounts	129	18	8	Law charges and town clerk	30	-	-
in cash and bills	-	-	-	Insurance	12	15	3
- Rents	334	2	-	Fee-farm rent	-	12	8
- Freedoms	133	6	8	King's taxes, and poor and other	98	3	4
- Weights and measures	1	8	2	rates	-	-	-
- Fines	2	16	-	Mortgages*	150	-	-
- Market tolls	273	18	1½	Annuities*	232	-	-
- St. George's Fair	1	18	9	Bonds*	217	17	4
- Town quay tolls	60	-	-	Free-school	27	12	5
- Town clerk, paid to him from				Stamps and freedoms	19	-	-
the county, for persons acting				Mayor	41	12	2
as special constables in Oc-	19	15	-	Serjeants at mace	52	1	3
tober 1832	-	-	-	Servants	2	-	-
- Fine for breach of bye-laws	-	3	4	Chamberlain	-	17	6
- Court Baron	56	4	-	Lord Darnley's gamekeeper	1	1	-
				Auditors and assistant clerks of	8	-	-
				market	-	-	-
				Miscellaneous	91	15	10½
				Balance	45	1	11
£.	1,036	10	8½	£.	1,036	10	8½

* These items are the amount of interest paid on sums borrowed for and expended on public buildings and improvements.

RECEIPTS:				EXPENDITURE:			
	£.	s.	d.		£.	s.	d.
St. George's Fair	2	1	4½	Law Charges	55	5	5
Market	306	18	-	Recorder	2	-	-
Ground	13	16	-	Mayor	50	-	-
Pier hotel	219	10	-	Chamberlain	-	17	6
Pier	60	-	-	Town clerk	30	-	-
Freedoms and compositions	271	5	1½	Serjeant at mace	55	6	8
Cross Ferry	140	-	-	Fee-farm rent	-	12	8
Free-school, rents for	14	10	-	Servants	2	-	-
Weights and measures	2	14	10	Insurance	12	15	3
Beckett, sufferance on quay	1	1	-	Gratuity	1	1	-
Dadd - ditto - on Market-place	-	2	6	Taxes	99	17	8
Miscellaneous	16	10	-	Free-school	25	7	3½
Manor of Parrock	3	10	-	Mortgages	150	-	-
Fines	17	6	-	Annuities	232	-	-
				Bonds	176	9	1
				Stamps	41	11	6
				Miscellaneous	127	12	10½
£.	1,069	4	10	£.	1,062	16	11

GRAVESEND.
Patronage.

The only Patronage belonging to the corporation is the appointment of master to the Free School. He has a house with the appurtenances, and a salary of 19*l.* 10*s.*

Local Acts.

The Local Acts relating to Gravesend are,—

47 Geo. III. 1807—"An Act for the more easy and speedy recovery of Small Debts within the Town of Gravesend and the Hundred of Tottinghough, Dartford, Wilmington, and Cuxtone in the county of Kent."

56 Geo. III. 1816—"An Act for the better Assessment and Collection of the Poor Rates and other within the Parish of Gravesend."

9 Geo. 4. 1828—"An Act for Rebuilding or for improving, regulating, and maintaining the Town Quay of Gravesend in the County of Kent, and the Landing Place belonging thereto."

3 Will. IV. 1833—"An Act for paving, cleansing, lighting, watching and improving the Town and Parishes of Gravesend and Milton, in the County of Kent."

4 Will. IV. 1833.—An Act for amending an Act of 9 Geo. IV., intituled, as above, and for building a Pier or Jetty adjoining thereto.

General state.

The Town is in a prosperous condition.

London, January 17th, 1834.

P. Bingham.

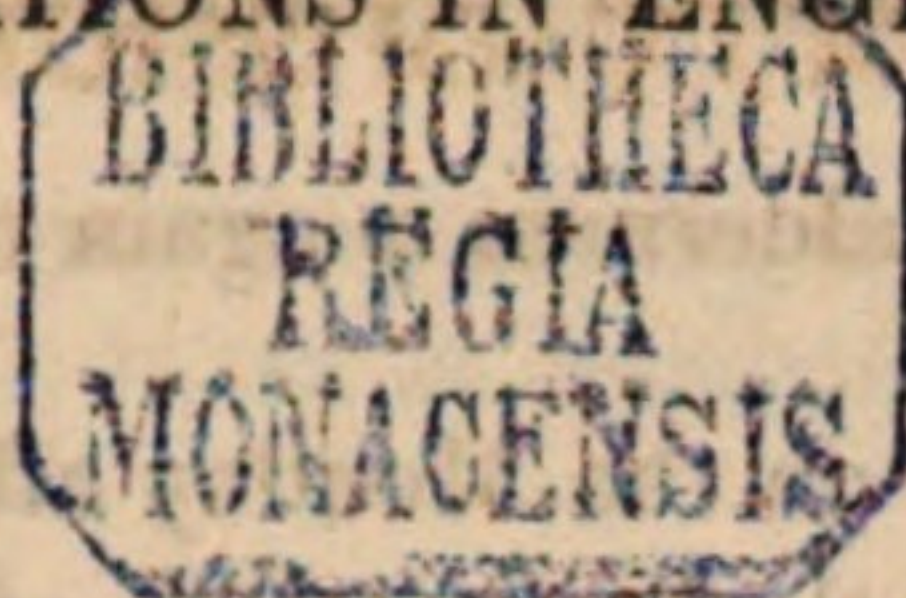
R E P O R T

ON

THE CORPORATION OF GUILDFORD.

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CORPORATION OF GUILDFORD.

1. THE Limits of the corporate jurisdiction are correctly described in the Map of Limits. the Boundary Commissioners. They comprehend the parishes of Trinity, St. Mary and St. Nicholas, and contain a population of about 3,800 persons.

2. A Charter of 11th Edward III., reciting a grant of the town of Guildford from the same king in the second year of his reign to the goodmen of the same town, to have and to hold to them, their heirs and successors in fee farm; and reciting that Henry Norbridge, then mayor of the town, and the goodmen, did "feare to be troubled and vexed in time to come, soe that they cannot use and enjoye the same guifts, graunts, libertyes, franchises, quiettances and priviledges as they were accustomed to doe, for cause of the darkness and difficulties of the opinions of divers persons, which may fortune to be found in the corporation and body of the same mayor and goodmen, which things yf it should be suffered to come to passe, would not only fall to the peril of the dissolution of same now mayor and goodmen, but alsoe to their manifest disenheritance, which God forbid;" granted to the then mayor and goodmen of the town aforesaid and their successors, for ever, that the same town should be corporated of a mayor and goodmen; that the goodmen should every year, upon the Monday after the feast of St. Michael the Archangel, choose of themselves "a certaine meete person and discrete," to be mayor of the same town, the mayor to be clerk of the market, and to appoint servants at mace and other necessary officers; and the mayor and goodmen to appoint a coroner. Two fairs to be holden annually; and a court of unlimited jurisdiction, before the mayor and two discreet men, from three weeks to three weeks. The mayor to have the return of writs, and the mayor and goodmen to be exempt from serving on juries without the town.

This charter was confirmed in the 1st year of Edward VI., and also by a charter granted in the 22d of Elizabeth.

The charter of Elizabeth was confirmed by a charter of first year of James I., and,—

In the second year of James II., a charter was obtained for making two of the aldermen justices. But the charter of Edward III. appears to be still the governing charter.

3. The title of the corporation is, "The Mayor and Approved-men of the Town of Guildford Title. in the County of Surrey."

4. The Corporation consists of a Mayor, and an indefinite number of Approved-men; the number has varied from 25 to 39, the number at present. A person becomes an approved-man by being *nominated* to, and accepting, or fining in for, the office of *bailiff* in the corporation; and it is the custom to nominate annually as bailiff, a person who has served, or paid the fine for not serving, the office of *constable* of the town. Corporate Body.

The constables of the town are appointed by the borough justices at the court leet, held by the corporation as lords of the manor. These justices, as hereinafter appears, are appointed by the corporation.

5. The Officers of the corporation are,

Officers.

A High Steward,
Mayor,
Recorder,
Two Justices,
Bailiff,
Two Coroners,
Town Clerk,
Hall Warden,
Two Serjeants at Mace, and
A Beadle.

6. The High Steward, who is generally a nobleman resident in the neighbourhood, is High Steward. elected for life by the whole corporate body.

He has no duties; but is entitled to a salary of 5*l.* 5*s.* per annum, which he gives to the serjeants at mace and beadle.

7. By ancient custom, confirmed by a bye-law of 6th Geo. II., those who have served the office of Mayor are styled aldermen or magistrates, without however being invested with any functions in respect of such appellation. Mayor.

If there be eight of these aldermen, the mayor is elected by the whole body of the corporation out of the eight; if there be fewer than eight, he is elected by the whole corporation from among such of the approved-men as have served the office of bailiff, and takes the style of Alderman when his mayoralty has expired.

GUILDFORD.

In this way the number of eight aldermen is again completed, and the ensuing mayor is chosen from among the eight.

The election takes place annually on the Monday after Michaelmas-day.

The mayor is chief magistrate of the town, clerk of the market, returning officer, judge of the court of record, and a magistrate the year after his mayoralty.

As mayor, he receives the tolls of the market, for which he pays the corporation 150*l.*: he pays also 35*l.* 12*s.* more, as salaries of the serjeants at mace, beadle and corn porter.

The tolls produce from 170*l.* to about 200 *l.* a year.

The mayor is also entitled to the soil or sweepings of the town, but is compelled to defray the whole charge of cleaning the town, which is now about 80 *l.* a year.

In addition to this, the customary feasting or hospitalities cost him about 150 *l.*

Recorder.

8. The Recorder is chosen annually at the same time as the mayor, and by the same body.

He must be learned in the law, and it has always been usual to re-elect the same person.

He is a justice of peace by virtue of his office, and with the mayor, a judge at the quarter sessions.

He has a salary of 4*l.*, which it has been the custom to hand over to the serjeants at mace and beadle.

Justices.

9. Under the charter of James II., two of the aldermen are elected annually by the whole corporation, and at the same time as the mayor, to act as Justices for the Borough.

Their jurisdiction is not exclusive of the county magistrates, and they have no salary or emoluments.

Bailiff.

10. The Bailiff is elected annually at the same time, and by the same body as the mayor.

He must be a resident householder, paying scot and bearing lot, and a person who has served, or has paid a fine in lieu of serving, the office of constable of the town.

The person who is so elected bailiff has the option of serving the office, or fining in, or fining out.

If he serves the office, he becomes a member of the corporation.

If he is willing to become a member of the corporation, but not to serve the office, he fines in; that is, he becomes a member of the corporation on paying 63*l.* and giving the corporation a dinner, in lieu of serving the office.

If he is unwilling either to serve the office or to become a member of the corporation, he fines out; that is, he pays 94*l.* 10*s.* to the corporation funds, is excused from becoming a member of the corporation, and is exempt from the office for life.

The fines, which had previously been lower, were increased to their present amount by a bye-law of February 1819.

Until the last year, when Mr. William Watson, a respectable coachmaker, fined out, there had been no instance of fining out for many years.

Mr. Watson, who at the time he fined out had resided in the town seven years, complained to the commissioner on the subject of this bye-law of the corporation, and alleged that there were many persons who had resided in the town a longer period than himself, equally competent to fill the office of bailiff.

He did not, however, allege that the corporation had been actuated by improper motives in nominating him to the office.

The duties of the bailiff are the same as those of a sheriff. He executes process, and is responsible for the safe custody of prisoners for debt.

He receives for his own use head-pence from all male inhabitants; certain small quit-rents and fines for encroachments; and a portion of the tolls at fairs and markets:

The whole producing at present about 17 *l.* a year.

In return for this he is expected to give dinners to the corporation and peace officers on the days of the quarter sessions, which with other expenses cost him from 150 *l.* to 200 *l.*

Coroners.

11. The Coroners are chosen annually by the whole body of the corporation at the same time as the mayor, and it has always been the practice to choose the ex-mayor and the town-clerk.

They have no emoluments, but the 20 *s.* paid on each inquest.

Town Clerk.

12. The Town Clerk is elected annually, by the same body and at the same time as the mayor. It has always been the practice to re-elect the same person.

He transacts the law business of the corporation, attends as clerk of the peace at the quarter sessions, as clerk to the magistrates of the borough, and as assessor to the mayor in the court of record.

His emoluments consist of the ordinary professional charges. He has no salary.

Hall Warden.

13. The Hall Warden, who is not named in any of the charters, is elected annually, at the same time and by the same body as the mayor. He must be a member of the corporation who has served the office of bailiff.

His

His duties are to act as treasurer of the corporation, but he cannot disburse more than 40 s. without an order from the corporation, made in common hall.

He has no salary or emoluments.

14. The Serjeants at Mace are appointed annually by the mayor for the time being, and are removable at pleasure. Serjeants at Mace.

Their duties are, to attend the mayor; to collect his tolls; to summon juries; to serve process, and execute writs from the court of record.

They have each a salary of 14 l. 12 s., and some small fees on service of process, &c.

15. The Beadle, who is also Crier and Coal-meter, is appointed by the mayor. Beadle.

He has a salary of 40 s. a year, and his fees for crying and metage.

No fees are paid upon admission to corporate offices.

16. Nor is there any Ruling Body other than the entire corporation. Ruling Body.

17. Persons become free of the town, Freemen.

1. By Admission into the Corporation, as before explained.

2. By Birth:—The eldest son of a freeman, being free, whether born before or after his father's admission. If the eldest die before he attains 21, the second succeeds to the freedom.

3. By Apprenticeship:—An apprenticeship of seven years served with a freeman within the borough entitles the party serving to his freedom, if the indenture be enrolled within 12 months after the commencement of the service.

4. By grant or purchase from the corporation.

The corporation have not sold the freedom for upwards of a century, and have made only six honorary freemen within the last 50 years, notwithstanding a resident freeman is entitled to vote at the election of members for the town.

The inhabitants of Guildford are exempt from serving on juries out of the town, and the freemen have no other privilege.

The number of resident freemen, including the corporation, is 83. Non-resident, about 25.

18. The Fee upon the admission of freemen, is 4 s. Stamp duty, 20 s. Fees.

19. The Fines imposed by the corporation on their own members, or others, are— Fines.

A fine of 10 s. payable by every member not attending a guild merchant when duly summoned, unless he is previously excused by the mayor.—Bye-law, 19 May 1800.

The fines imposed on persons desirous of being excused from serving the office of bailiff are before set forth.

At the annual Court Leet for the choice of officers, the following fines are imposed on persons desirous of being excused from serving offices, viz.:

Ale-taster -	-	-	-	-	-	40 s.
Tythingman -	-	-	-	-	-	£. 3.
Constable -	-	-	-	-	-	£. 7. 10 s. or,

If the party chooses to fine for all three offices at once, he may do so by paying 10 l. 10 s.

20. Quarter Sessions are holden for the trial of such offences as are usually tried at sessions; but not felonies the punishment of which affects life or limb. Courts: Quarter Sessions.

The mayor presides, assisted by the recorder and the three other magistrates.

The town clerk acts as clerk of the peace, and clerk of the indictments; and

The serjeants-at-mace, as criers.

Within the last seven years there have been 20 cases of felony and 12 of misdemeanor.

21. The magistrates hold Petty Sessions from time to time, as the business of the town requires. Their jurisdiction extends throughout the borough as laid down in the plan, and also by charters of Charles I. and James II. throughout the parish of Stoke. But the power of acting in the parish of Stoke seems to have been seldom or never acted upon. Petty Sessions.

The jurisdiction is not exclusive. The justices for the county of Surrey have a concurrent jurisdiction.

The fees taken by the town clerk at sessions are the same as in the county.

22. There is a Court of Record for the borough, holden in pursuance of the charters every third Monday; its jurisdiction is unlimited in amount: Court of Record.

But the court has fallen greatly into disuse. There has not been an issue tried for upwards of 80 years, or an arrest on *mesne process* for upwards of 40 years.

The mayor and other aldermen preside over this court. But

If there are not two aldermen present, a bailiff is called in.

The process and practice is similar to that of the Courts of Westminster before the late alterations.

23. The Grand Jury in the criminal court is composed of all the members of the corporation who are not aldermen; and, except the serving bailiff, as many as appear are sworn. Juries.

The members are all summoned, and are liable to fines for non-attendance.

The petty jury is struck by the town clerk, and are householders taken from the poor's rate books in rotation as they stand.

GUILDFORD.

24. The mayor and justices have the control of the Police of the town; the justices of the county of Surrey who have a concurrent jurisdiction seldom interfere.

Police.

The police consists of

Two constables for the whole town.
Two ale-tasters for ditto.
Two tasters of fish and flesh for ditto.
Two tythingmen for Trinity parish.
Two ditto for St. Mary; and
One ditto for St. Michael.

These officers are housekeepers serving in their own right, and are appointed at a court leet holden in the month of January in every year.

There are two watchmen for the night, who are appointed by the trustees acting under a local Act next hereinafter mentioned, who are also sworn as constables.

An Act was passed in the 32 Geo. II. for watching and lighting the town, the trustees for putting which into execution are the members of the corporation for the time being, and 13 individuals resident in the town named in the Act, and their successors.

The trustees contract annually with the Gas Company for lighting the town, and they also appoint and pay the watchmen.

The trustees raise about 240 *l.* per annum by rates upon the inhabitants; this sum is insufficient for the purposes of the Act, and the balance has been of late years made up by subscriptions of the inhabitants.

Another Act was passed in the 52d Geo. III. for paving, cleansing and improving the town. By this Act 105 persons are appointed commissioners, including the members of the corporation for the time being. There are at present about 70 persons who have taken the oath of qualification required by the Act.

The pavement of the town and the public improvements are under the direction of these commissioners, who have contracted a large debt, and levy rates to pay the interest, and for other purposes of the Act.

	£.	s.	d.	
In Trinity the rate amounts to	-	-	188	- - per annum.
St. Mary	-	-	275	- - -
St. Nicholas	-	-	54	- - -

Besides these funds, a toll of one penny per load for all goods navigated on the river Wey, which the corporation is entitled to, and which produces about 210 *l.* per annum, is by the last above mentioned Act directed to be applied in aid of the paving funds, and is applied by the commissioners accordingly.

Gaols.

25. There is no Gaol for the reception of criminals belonging to the corporation: the borough magistrates are allowed to commit to the county prison.

When any person is taken in execution on a *ca. sa.* from the town court, he is taken to a lock-up room behind the new court house, which is part of the dwelling-house of the senior serjeant at mace, under whose care he is confined, and where he is maintained at the expense of the corporation until he obtains his discharge.

There have not been half a dozen such arrests during the last 40 years.

Property.

26. The Property belonging to the corporation consists of the old Town-hall, and a dwelling-house attached, the new market-house or court-house, and a small garden and stable attached, tolls, fines, sundry small quit-rents and other payments.

The income of the corporation is as follows:—

	£.	s.	d.
The mayor pays for the tolls of the corn-market, per annum	150	-	-
The corn porters pay annually, for depositing corn in the market-house	100	-	-
The tolls of the vegetable-market are let at 40 <i>l.</i> per annum, the corporation paying the rent and taxes for the building in which they are held	10	-	-
net surplus	11	-	-
The tolls of the two fairs held every year	11	-	-
Sundry small quit-rents and payments for encroachments, produce annually on an average	12	12	-
Dividend on 2-8th shares in the water-works belonging to the corporation	30	-	-
Rent of dwelling-house, stable and garden, attached to the Town-hall	22	-	-
Sundry small ground-rents, &c.	3	-	-
The fines for the office of bailiff within ten years have been,—seven fines in, at 63 <i>l.</i> ; and one out, at 94 <i>l.</i> 10 <i>s.</i>	53	10	-
average per annum	24	18	-
Fines for constables, &c. on an average of the last ten years	24	18	-
£.	417	-	-

This revenue is applied as follows:—

The corporation about twelve years ago purchased some premises, and commenced building a new market-house, court, &c. for the accommodation of the town, and a public subscription was opened to enable them to do so. The subscription fell far short of the amount required, and

and the corporation incurred a large debt, to meet which they borrowed on bonds 2,600*l.* This debt has been since reduced to 2,400*l.*, the interest of which is paid out of the above fund. The land-tax, poor rates, &c. on the tolls of the corn market, together with certain fee-farm rents, amounting to 14*l.* 10*s.*, are also paid thereout. The remainder is expended in keeping in repair the buildings, &c.; the fire engines belonging to the town; the law charges, which average 35*l.* per annum; and various other expenses, which the accounts explain.

RECEIPTS for the YEAR 1832 :

	£.	s.	d.
Received of C. Booker, esq., balance of his payment as mayor - -	112	10	--
— of J. Stedman, esq., one quarter's payment as ditto - -	37	10	--
— for rents - - - - -	205	19	6
— for fines - - - - -	100	10	--
— for quit-rents - - - - -	11	17	6
— for tolls - - - - -	8	6	4
— of Messrs. Haydon, one year's dividend on shares in the water-works - - - - -	30	--	--
— of Mr. Carter, subscription to fire-engine - - - - -	2	2	--
£.	508	15	4

EXPENDITURE for the YEAR 1832 :

	£.	s.	d.
Paid Mr. Palmer, late hall-warden, balance of last account - -	32	--	7
- Repairs - - - - -	66	18	6
- Stamps, &c. - - - - -	--	3	11
- Poor's rate - - - - -	6	13	--
- Paving ditto - - - - -	6	2	--
- Bill for necessities of lock-up house - - - - -	7	2	7
- One year's modus - - - - -	--	14	--
- Gaoler attending town sessions - - - - -	2	--	--
- Fee-farm rents - - - - -	14	10	--
- Bill for rates - - - - -	3	18	8½
- Church-rate - - - - -	--	18	--
- for minding the straw at sessions and assizes - - - - -	2	6	--
- for straw laid down before courts - - - - -	7	--	--
- Bill for beer - - - - -	1	1	10
- Beadle attending the mayor - - - - -	2	--	--
- King's taxes - - - - -	3	--	9
- Land-tax - - - - -	5	18	5½
- High steward's salary - - - - -	5	5	--
- Recorder's ditto - - - - -	4	--	--
- Insurances - - - - -	2	3	--
- for measuring the town - - - - -	--	18	--
- for looking after the town clock - - - - -	3	3	--
- Postage of letters for the late mayor - - - - -	--	1	2
- Beadle's bill - - - - -	1	16	9
- Sundry bills at assizes - - - - -	17	4	6
- Ditto - engines - - - - -	1	8	5½
- Russell for printing and stationery - - - - -	9	6	9
- Chennell for coals - - - - -	2	--	--
- the Beadle's gold lace hat - - - - -	2	12	--
- Mr. Booker, one year's interest - - - - -	40	--	--
- Mr. Newland - ditto - - - - -	10	--	--
- the executors of Mr. French, ditto on 700 <i>l.</i> - - - - -	35	--	--
- Ditto - of Mr. Cumber - ditto - - - - -	35	--	--
- the Serjeants at Mace, attending revising barristers - - - - -	2	2	--
- Lord Grantley's rent for Judge's lodgings - - - - -	37	9	8
- Ditto - and Mr. Norton, for sessions-house - - - - -	20	--	--
- Ditto - for cock-pit - - - - -	5	--	--
- the Town-clerk's bill - - - - -	54	18	10
- Ditto - for the audit - - - - -	--	6	8
£.	448	4	1½

RECEIPTS.

EXPENDITURE.

	£.	s.	d.		£.	s.	d.
1829 - - - - -	515	--	5	- - - - -	513	16	11
1830 - - - - -	515	2	6	- - - - -	378	9	2
1831 - - - - -	594	14	11½	- - - - -	626	15	6½
3) 1,624	17	10½		3) 1,519	1	7½	
541	12	7½		506	7	2½	

27. The Corporation have the appointment of the Master of the free grammar school in Patronage. the town; an office endowed with 70*l.* per annum, and a capacious residence. They also appoint six scholars. These appointments are made by the whole body at a common hall.

GUILDFORD.

The aldermen dispense the public charities, viz. the Poyle and other charities. But the property is vested in trustees, who appoint the treasurer; so that the money does not come into the possession of the corporation.

General State.

28. The town is in a respectable and prosperous state. There have been no more than two bankruptcies and five compositions with creditors in thirty years, and only one bankruptcy within the last thirteen.

With the exception of Mr. Watson (see *ante*, page 80), no one made any complaint against the corporation.

It is suggested, however, that in order to give due effect to the jurisdiction of the borough magistrates, the boundary of the borough should be enlarged to the same extent as that prescribed for the constituency to return Members to Parliament by the Reform Act.

That the local Acts for paving and for lighting, they being now separate and executed by commissioners of different qualifications, should be consolidated.

That so long as the tolls for produce brought to market are continued, they should be paid without regard to the part of the town in which the produce is exposed to sale, instead of being payable in the market-place only; and,

That the petty juries should be selected from 10*l*. a year householders, and not taken promiscuously from the whole body of householders, as heretofore, comprising even paupers.

Local Acts.

29. The local Acts relating to the borough are—

32 Geo. II. An Act for establishing, regulating and maintaining a Nightly Watch, and for enlightening the open Places and Streets within the Town of Guildford, in the County of Surrey.

52 Geo. III. Royal Assent 20th April 1812, An Act for paving, cleansing and otherwise improving the Town of Guildford, in the County of Surrey.

London, January 25, 1833.

P. Bingham.

R E P O R T

ON

THE CORPORATION OF HAVERING-ATTE-BOWER,

(ESSEX.)

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CORPORATION OF HAVERING-ATTE-BOWER.

Local Limits.

THE jurisdiction of the corporation of Havering-atte-Bower extends over the liberty and manor of Havering, comprehending the three parishes of Hornchurch, Romford and Havering. The limits are well defined; but no perambulations have been made of late years.

Charters.

The corporation have received the following charters,—

- 5 Edw. IV. 15 July 1465.
- 7 Hen. VII. 1484.
- 2 Hen. VIII. 5 Nov. 1510.
- 1 Mary, 1554.
- 1 Eliz. 5 June 1559.
- 30 Eliz. 18 June 1588.
- 2 James I. 4 April 1604.
- 7 Charles I. 1631.
- 16 Charles II. 10 March 1665.

The charters under which the corporation chiefly acts, are those of Edward IV. and Elizabeth. By the 30 Elizabeth the tenants and inhabitants of Havering-atte-Bower are incorporated. None of the charters are in the possession of the corporation.

Bodies composing the Corporation.

The Bodies composing the corporation are, the whole of the tenants and inhabitants of the liberty. In practice, the high steward, the deputy steward and the justice of the peace, elected by the tenants and inhabitants, are considered the head officers; but they do not appear from the charters to be made a part of the corporation in those capacities, but are merely empowered to act as justices of the peace. In strictness, the high steward and his deputy are the officers of the lord of the manor only, and not corporate officers. They are, however, invested in fact with the management of the corporate affairs.

High Steward.

The High Steward is appointed by the lord of the manor, Hugh Macintosh, esquire. His appointment is to hold during pleasure. In practice, however, the appointment is for life. Occasional instances have occurred of resignation. The duties of the high steward are, to act as a justice of the peace, and as judge of the court of ancient demesne. He has the power of appointing a deputy. There are no emoluments or privileges attached to the office. The present high steward is Thomas Mashiter, esquire, of Hornchurch, appointed in 1828. He acts as treasurer to the liberty rate, for which he receives 20*l.* per annum.

Deputy Steward.

The Deputy Steward is appointed by the high steward, and holds his office during pleasure. He is a justice of the peace for the liberty by charter, and in the absence of the high steward presides in the court of ancient demesne. He has no emoluments. The present deputy steward is Edward Ind, of Easterry Lodge, Romford, brewer, appointed in 1828.

Tenants and Inhabitants.

Possession of the freehold of lands within the liberty, the whole of which is ancient demesne, constitutes a Tenant within the charters. The qualification of an Inhabitant is not so well defined. No instance was remembered in which the question of what constitutes an inhabitant had been raised; but it was stated, that in practice every householder, within the liberty, whatever the nature of his holding might be, was considered as coming within the definition. The tenants and inhabitants are free from the payment of tolls. They likewise enjoy the privilege of being sued exclusively in the court of ancient demesne belonging to the manor. The tenants are suitors in that court. They also form the jury in the court leet, and elect various officers. They have likewise the power of electing a justice of the peace for the liberty. They are exempt from serving on county juries.

The following officers are elected by the jury of the court leet, and, strictly speaking, are rather officers of the lord of the manor than of the corporation. They act, however, under the direction of the magistrate appointed by the charters.

Clerk of the Peace.

There is no town clerk, but the Clerk of the Peace performs the customary duties of town clerk. He receives the usual fees of office. The present clerk of the peace is Mr. Wasey Sterry, solicitor, of Romford.

Coroner.

The Coroner, who is not a chartered officer, is appointed annually by the jury of the court leet. His duties are the same as those of a county coroner. He receives 1*l.* 1*s.* upon every inquest held in Romford, and 1*l.* 11*s.* 6*d.* for every inquest held in any other part of the liberty. The coroner's jury is summoned by his precept from the inhabitants generally. The present coroner is Mr. Sterry, the clerk of the peace.

The High Bailiff is elected annually by the leet jury; but if a vacancy occur in the course of the year, he is appointed by the high steward. His duties are to serve the precepts of the courts of quarter sessions and ancient demesne, and he performs, in other respects, the duties of sheriff. He likewise summons the juries. He has no salary, but receives poundage on executions. High Bailiff.

The Under Bailiff is appointed by the high steward. He acts under the orders of the high bailiff, and assists him in the performance of his duties. He receives a gratuity of 5*l.* a year from the lord of the manor. Under Bailiff.

There are two High Constables and nine Petty Constables appointed by the jury of the court leet. The high constables receive the usual fees of office, and an allowance of money for their attendance at the quarter sessions. The petty constables are remunerated in the same manner. Constables.

There are certain other Officers, elected by the court leet, whose appointment is merely formal, there being no duties performed, and no salaries received by them. These are, a clerk of the market (who is also inspector of weights and measures), two woodwards, two searchers and sealers of leather, and two ale conners. Other Officers.

By the charter of Edw. IV. the steward of the manor for the time being, and one of the discreetest and honestest tenants or inhabitants, to be from time to time chosen by the tenants and inhabitants, are made Justices of the Peace within the manor; and by the charter 1st Elizabeth, the deputy of the steward of the manor, as long as he continues in that office, is also made a justice of the peace for the manor, and the justice chosen by the tenants and inhabitants is made of the quorum. By the charter of Edw. IV. the magistrates of Essex shall not intermeddle with regard to any matter within the manor, and all acts so done by them are declared void. Justices of the Peace.

The charter of Edward IV., reciting that there has been held, before time of memory, a Court of Ancient Demesne within the manor, and that real and mixed actions have been pleaded in that court and not elsewhere, grants to the tenants and inhabitants that they shall not be bound to answer before any justices, judges or commissioners, in any real, personal or mixed actions, arising out of, in, or upon, the lands or tenements held of the manor, in any court than in the court of the manor, before the steward and suitors; and that all actions and suits shall be there proceeded in, according to the custom of the manor. Authority is then given to the steward and suitors to hear and determine, by plaint levied in that court, pleas, debts, accounts, covenants, trespasses, detention of chattels, and all other contracts within the manor arising, though they exceed the sum of 40*s.*, and though any writ come from the King to remove the plea, except only writs of error and false judgment. The court of ancient demesne is held every third Thursday, before the high steward or his deputy, and two of the suitors. The only officer of the court is the clerk (Mr. Tyrrell, of London, solicitor). He has the power of appointing a deputy. The present deputy is Mr. Ward, of Romford, attorney. The duty of the clerk of the court is to keep the records and to enter all the proceedings which take place in the court. He is likewise keeper of the seal of the court, with which all the proceedings are sealed. He does not tax the costs, the high steward performing that duty. Both the clerk and his deputy have been in the habit of practising in the court in their own names. Any attorney of the superior courts at Westminster is permitted to practise in this court, on paying a fee of 2*l.* 2*s.* The number of attornies is not limited. There is a table of costs, which is suspended in the court-room. The costs are framed upon a scale, according to the amount of the sum sought to be recovered. Where a cause under 20*s.* goes to trial, the costs amount to about 4*l.*; where judgment is suffered by default, to about 30*s.* Where the general issue is pleaded, and the case goes to trial, it requires about 12 weeks before judgment can be obtained. The process is by plaint and *capias*, and upon the court-day following that on which the *capias* is returnable, the plaintiff may enter an appearance for the defendant, according to the statute. The proceedings are from court-day to court-day, and nothing is transacted except on those days. There are no written rules of the practice, which is, in general, in conformity with that of the superior courts of common law. The number of actions brought, and executions during the last three years, is as follows:— Courts.
Court of Ancient Demesne.

	1830.	1831.	1832.
Actions brought	19	43	45
Executions	1	6	3

Scarcely one case in a year stands for trial. Actions of ejectment have been occasionally brought.

There is a Court of Pie-poudre given by charter; but it is never held. Court of Pie-poudre.

The power of holding Sessions of the Peace is given by the charter of Edward IV., which declares, that the steward of the manor and the justice chosen by the tenants and inhabitants shall have power to inquire of and to determine all and singular articles, as well concerning labourers, &c., and all other things to do and execute, which other justices of the peace may do; so that they do not proceed to the trial of any treason or felony without special warrant. By the charter 1 Eliz. the sessions are directed to be held before the high steward, the deputy steward, and the justice chosen by the tenants and inhabitants, Court of Quarter Sessions.

HAVERING-ATTE-BOWER.

bitants, the latter being of the quorum. In practice, the court tries petty cases only. The sessions are held on the same day as the county sessions. The juries are thus summoned: A list is made out yearly of those who are qualified to serve on juries, viz. tenants and inhabitants possessing 40 *l.* in goods or 10 *l.* in estate. This list is returned to the magistrates, who make such alterations in it as they think proper. From the names in this list, both the grand and petty jurors are summoned. The mode of summoning has never been objected to. The juries are considered to be very respectable. The highest sentence inflicted by the court is two years' imprisonment. There is no instance of their having transported offenders. After conviction the offenders are sent to the county gaol, the liberty paying for their subsistence. The fees, tables of which are settled by the magistrates of the liberty, and hung up in the court-house, are nearly the same as in the county. The expense of a prosecution (exclusive of counsel's fees) is about 3 *l.* 17 *s.* The following is the number of felonies during the last three years:—

	1830.	1831.	1832.
Persons committed	2	6	5
Persons convicted	1	4	3

The following is the number of misdemeanors:—

	1830.	1831.	1832.
Persons committed	1	—	—
Persons convicted	—	3	—

At the last quarter sessions there were no prisoners for trial, and the number of misdemeanors is stated to be diminishing.

Court Leet.

The Court Leet of the manor of Havering-atte-Bower is held annually upon the same day as the quarter sessions, Whitsun Tuesday. It is held before the high steward. The tenants are summoned by the bailiff. In general, 16 or 18 in number are selected by the deputy clerk of the court of ancient demesne, and these alone attend and are sworn upon the leet jury. Their duty is to elect the various officers already mentioned, and to present nuisances, &c. Before the passing of an Inclosure Act, about 25 years since, the leet jury sometimes granted small portions of the waste of the manor to hold to the tenants in severalty. These grants were confirmed by the Inclosure Act.

Petty Sessions.

Petty Sessions are held once a fortnight.

Gaol.

The Gaol is under the Town-hall (which was built a few years since by a liberty rate, with the addition of a grant of 500 *l.* from the Crown.) It contains four cells, clean and well ventilated, but not glazed. There is no day-room and no yard. Offenders are never committed to this place for more than two or three days for examination, &c.; all the prisoners after conviction being sent to the county gaol.

Police.

The high and petty constables are stated to form a sufficient Police for the town of Romford, which is peaceable. This is also the case with the liberty in general.

A local Act was obtained in 1819, entitled, "An Act for paving and otherwise improving the town of Romford, in the liberty of Havering-atte-Bower, in the county of Essex." By this Act commissioners are appointed, and upon a vacancy occurring in their body, it is to be filled up by the rate-payers under the Act. The qualification required for a commissioner is 30 *l.* per annum in lands, being the heir apparent of a person having 60 *l.* per annum in lands, or the possession of personal estate of the value of 500 *l.*, and being rated under the Act at 30 *l.* The commissioners are empowered to provide for the paving, lighting and watering of the town. The paving only extends to the foot-paths, the trustees of the turnpike repairing the roads. The foot-paths are not in a good state, owing to the want of funds raised under the Act. Many years since, Richard Ballard gave certain freehold property to the churchwardens of Romford, in trust to apply the rents and profits in repairing the highways and church paths. These profits amount to about 20 *l.* per annum. The town of Romford is lighted with gas, by contract, under the local Act. Complaints have been made of the insufficiency of the lighting. The number of watchmen appointed by the commissioners is adequate to the protection of the town. The local Act authorizes the trustees to levy a rate, not exceeding in one year the sum of 2 *s.* in the pound, in such parts of the town where the footways shall be paved or ordered to be paved by virtue of the Act, upon the tenants or occupiers of houses, buildings, gardens, tenements and other hereditaments and estates which lie within such part, of the yearly value of 8 *l.* or upwards, and which have been usually charged to the relief of the poor. The rate at present raised is to the full extent authorized by the Act, and produces about 300 *l.* per annum.

There are 37 licensed public-houses within the liberty. The number has not been increased for many years. The number of beer shops is 17. They are considered very injurious to the morals and industry of the place, especially as drawing the agricultural labourers away from their work.

Bye-laws.

There are no existing Bye-laws.

Poor.

The corporation take no part in the management of the Poor. There is a local Act (26 Geo. III. c. 28) for the management of the poor, entitled, "An Act for providing a proper Workhouse, and better regulating the Poor within the parish of Romford, in the liberty of Havering-atte-Bower, in the county of Essex."

The

The corporation are not trustees for any Charities, and possess no patronage of any kind.

The corporation have no Revenue.

The public expenses are defrayed by a Liberty Rate, made twice a year at the spring and autumn sessions. The following is the amount in the pound since the year 1827:

Charities.
Patronage, &c.
Revenue.
Liberty Rate.

	d.		d.
1827	- - - 2½	1831	- - - 3½
1828	- - - 3½	1832	- - - 4
1829	- - - 2½	1833	- - - 3½
1830	- - - 3	1834	- - - 3

The amount raised by this rate in the year 1833 was 526*l.* 7*s.*

The expenditure out of the liberty rate for the eight years previous to 1826 was upon the average about 660*l.* For the succeeding eight years it has been on the average about 537*l.*

The following is a particular account of the expenditure for the year 1833, which may be considered as a fair specimen of the annual expense of the liberty.

The Account of *Thomas Mashiter*, esq. of all Monies received by him for the use of the said liberty.

	£.	s.	d.	Income.
Balance due to the liberty at the last audit	-	-	-	129 19 1
Received of Charles Harvey, high constable, on account of Romford rate	-	-	-	314 14 8
Received of Samuel Benton, high constable, on account of Hornchurch rate	-	-	-	248 11 8
Received of Charles Harvey, high constable, on account of Haver-ing rate	-	-	-	50 15 -
Received from the overseers of different parishes, for penalties incurred by individuals under the 7th and 8th Geo. IV. c. 30	-	-	-	3 8 6
Received from overseers of different parishes for penalties incurred under the 9th of Geo. IV. c. 31	-	-	-	10 16 6

	£.	s.	d.
Balance due to the liberty	758	5	5
	271	9	1
	£.	486	16 4

<i>Southey's Account.</i>				Expenditure.
One year's salary	-	-	-	£. s. d.
General bill	-	-	-	79 5 7
One year's rent of Debtors' prison	-	-	-	10 - -
Keep of debtor in prison	-	-	-	2 - 6
One year's insurance in Sun Fire Office, to Midsummer 1833	-	-	-	5 12 6
Advertising treasurer's accounts	-	-	-	3 2 -
Bourne, one year's paving rate	-	-	-	1 4 -

<i>Perkins & Gepp, Maintenance of Prisoners.</i>			
Ilford gaol	-	-	-
County gaol	-	-	-
Springfield gaol	-	-	-
	£.83	3	8
	1	4	9
	79	19	9
	164	8	2

<i>High Constable for Romford.</i>			
General bill	-	-	-
Collecting rate	-	-	-
	£.14	7	-
	6	1	9
	20	8	9

<i>High Constable for Hornchurch.</i>			
General bill	-	-	-
Collecting rate	-	-	-
	£. 7	14	6
	4	3	4
	11	17	10

<i>Petty Constables of Romford.</i>			
General bills	-	-	-
Coroner's inquests	-	-	-
	£.13	14	6
	6	1	-
	19	15	6

<i>Petty Constables of Hornchurch.</i>			
General bills	-	-	-
Coroner's inquests	-	-	-
	£.11	9	6
	5	16	6
	17	6	-

HAVERING-ATTE-BOWER.

Petty Constable of Havering.

	£.	s.	d.
General bill - - - - -	3	7	-
Conveying prisoners to and from Ilford and Chelmsford - -	31	11	1
Finch, attending weights and measures - - - - -	2	2	-
The treasurer's allowance - - - - -	20	-	-
Finch, salary attending Romford Market - - - - -	6	10	-
Eagles, hat and lace for Finch - - - - -	1	19	-
Southey, coat and waistcoat for ditto - - - - -	3	14	8
Bartlett, carpenter's work - - - - -	1	13	-
Dr. Weld, attending on prisoners - - - - -	-	4	-
Spicer, for ironmongery - - - - -	2	6	2
Harvey, for printing - - - - -	2	5	-
Mr. Hall, glazier and plumber's bill - - - - -	1	4	7
Marrable, bricklayer's work - - - - -	1	5	2
Sterry & Co. notices of meeting - - - - -	4	-	-
Mr. Ward, making Returns to Secretary of State about three weeks' court - - - - -	1	1	-
Bell, for lighting gas lamp from Lady-day 1832 to Lady-day 1833	4	14	6
Illuminating the court-house - - - - -	2	10	-

Wasey Sterry, Clerk of the Peace.

General bill - - - - -	52	4	10
Coroner's inquests - - - - -	7	7	-
Postage, witnesses, and sundry contingencies - - - - -	1	17	4

Balance due to the liberty - - - - - £. 271 9 1

£. 758 6 1

The high steward is the treasurer, and keeps the accounts of the rate. No payments are made without an order from the magistrates. The accounts are audited annually by the other magistrates, and are published in the county newspapers.

Fines.

The Fines from the court leet go to the lord of the manor. Fines imposed under the direction of various statutes are carried to the account of the liberty rate.

State and Prospects of the Liberty.

The population of the Liberty of Havering are chiefly engaged in agriculture. There is no particular trade pursued there. Upon the whole, the neighbourhood is stated to be improving. At Romford many new buildings are in progress. The liberty, in common with the rest of the country, has suffered from the increase of pauperism; and, within the last seven years, the poor rates have been nearly doubled.

Remarks.

The functions of the corporation of Havering are confined almost entirely to the administration of justice, civil and criminal, within the liberty. No complaints were brought forward as to the mode in which those duties are performed; observations were, however, made with regard to the appointment of the magistrates. Since the sale by the Crown, a few years ago, of the manorial rights to the present possessor, Hugh Macintosh, esq., the appointment of the high steward has been vested in that gentleman; and it was remarked upon as a matter of impropriety, that a private individual should have the power of creating a justice of the peace. Indeed none of the three magistrates of the liberty is appointed by the Crown, the deputy steward being selected by the high steward, and the third justice being elected by the tenants and inhabitants. The present deputy steward, Mr. Neave, resides about 30 miles distant from Romford, at Epsom in Surrey, a circumstance which was represented as being undesirable in point of principle, though in the particular case no inconvenience appeared to have been experienced, Mr. Neave regularly attending at the quarter sessions, and likewise at the petty sessions, upon an intimation that his presence would be required.

Though the corporation of Havering is closely connected with the ancient demesne tenure of the manor, yet there appears to be no necessary connexion between them, nor does there seem to be any useful end answered by the existence of the municipal constitution.

London, 24 June 1834.

Henry Roscoe.

Documents accompanying this Report:

- Copy Translation of the Charter of James II.
- Copy of the Local Act, 59 Geo. III.
- Copy of the Act, 26 Geo. III. c. 28. for providing a Workhouse.

R E P O R T

ON

THE CORPORATION OF HERTFORD,

(HERTFORDSHIRE.)

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CORPORATION OF HERTFORD.

THE Limits of the ancient borough of Hertford were considerably extended, for municipal purposes, by the governing charter of the 32 Car. II. 1680. The present boundary is minutely described in that charter, and is sufficiently ascertained, for all practical purposes, by occasional perambulations. The boundary of the borough jurisdiction is about eight miles in extent; the ancient limits, to which the right of voting for Members of Parliament, as far as respects householders, was confined previously to the Reform Act, were much less comprehensive. The boundary line of the new Parliamentary borough is nearly coincident with that of the corporation borough as described in the governing charter. LIMITS.

The borough of Hertford, which, with the manor, forms part of the Duchy of Lancaster, claims to be a corporation by prescription. In an extent of the castle and borough of Hertford, made in the 5th year of the reign of Edward III. (1332) a bailiff, under-bailiff and commonalty of the town of Hertford are mentioned; and in the 19th of Henry VI. (1441) two markets were granted to the "burgesses and tenants of the town and their successors." The earliest formal charter of incorporation now extant was granted in the 1st year of the reign of Mary (1554), by which a corporate body was formed, consisting of a bailiff and not more than 16 burgesses. The next charter in order of time was granted in the 31st year of the reign of Elizabeth (1588), which, after reciting that a corporation had existed there time out of mind, gave the borough a new form of incorporation, composed of a bailiff, 11 capital burgesses, including the bailiff, and 16 assistant burgesses. In the 3d year of the reign of James I. (1604) a new charter was granted, by which the borough was incorporated by the name of "Mayor, Burgesses and Commonalty." The corporation continued to act under the charter of James until the year 1680, when the present governing charter was obtained from the crown. This charter was not granted upon the surrender of former liberties, and having been accepted by the corporation and acted upon ever since, is not affected by the proclamation of James II. for restoring surrendered charters. A copy of the governing charter accompanies this report. History and Charters.

The legal style of the corporation is "The Mayor, Aldermen and Commonalty of the Borough of Hertford." Title.

By the charter of Charles II., 10 aldermen, one of whom was to be chosen mayor, were substituted for the capital burgesses mentioned in the previous charters, and formed, with the mayor and recorder, the common council of the borough for all municipal purposes. Ruling Body, how formed.

The common council are authorized to make bye-laws for the government of the borough, at meetings for that purpose, at which the mayor and the recorder must be present. Sixteen assistants are also chosen, who are to assist the mayor and aldermen in matters of town government when summoned for that purpose.

The component parts of this body are elected in the following manner:—

The Mayor is elected annually, on St. Matthew's day, from among the aldermen. The common council at first assemble alone in their common-hall and nominate two aldermen as candidates for the mayoralty. They then meet the chamberlain and 16 assistants, and by a majority of the whole body, taken together, elect one of the two candidates so nominated as mayor for the ensuing year. In practice, it is usual to elect the junior alderman who has not passed the chair. The system of nomination by the smaller body is not authorized by the charter, but there are traces of its existence in very early times. The mayor is sworn in on the Michaelmas-day next after his election before the recorder or his deputy, the last mayor, and the rest of the aldermen, or as many of them as happen to be present. Mayor, how elected.

The Recorder is elected by the mayor and aldermen, upon the occurrence of a vacancy. He must be approved by the King, and continues in his office during the pleasure of the crown. The only description of his qualification in the charter is that he must be "skilful" in the laws. The recorder may appoint a deputy, who must be "learned" in the laws, and who has, in the absence of his principal, the same corporate duties and authority as the recorder himself. Recorder, how elected.

The Aldermen are elected for life by the mayor and aldermen upon vacancies. No particular qualification is requisite. They are taken from the inhabitant householders of the borough, and not necessarily from the assistants. Aldermen, how elected.

The Assistants are likewise chosen for life by the mayor and aldermen, and are taken from the inhabitant householders. Both the aldermen and assistants are required, in practice, to be resident within the town while they hold their respective offices; but this restriction is not imposed by the charter. Assistants.

Freemen.

Persons may become free of the borough of Hertford by three modes; by purchase, servitude or presentation.

1. The freedom by purchase is obtained by the payment of a sum by way of fine to the corporate fund, the amount of which is wholly discretionary in the corporation. We were informed that the practice had always been, and still is, to determine the amount of the fine by the ability of the party applying for his freedom, and the nature and extent of the trade he proposes to carry on. Within the last 14 years two fines of 25*l.* were the highest that have been taken; in other cases the sums have varied from 20*l.* to five guineas, the latter sum having been by far the most usual. The average annual receipts by the corporation from this source, during the last 14 years, have been about 50 *l.*

2. A person may also entitle himself to his freedom by a *bonâ fide* apprenticeship for seven years to a freeman of the borough, under an indenture duly enrolled in the town clerk's office. Proof of actual service as an apprentice is required in order to entitle the party to admission.

3. The corporation have an unrestricted right to admit persons to the freedom for the borough by presentation. This right appears to have been occasionally exercised by conferring the honorary freedom of the borough upon persons distinguished by high rank or political eminence, who happen upon particular occasions to have visited the neighbourhood of Hertford. When a person, not being free, is elected an alderman, the corporation have usually presented him with his freedom. The eldest sons of aldermen are also made free by presentation.

Privileges of Freemen.

The only general Privilege of the Freemen is an exclusive right of carrying on trade within the borough. This privilege is founded upon immemorial usage, and is secured by a series of bye-laws imposing penalties upon non-freemen keeping shops or exercising retail trades within the limits of the town. By the reservation of old rights of voting for Members of Parliament in the Reform Act, such freemen as had been inhabitants of the ancient borough for 40 consecutive days before the time of obtaining their freedom, and had become free before the day limited in the Act, are still entitled to vote at Parliamentary elections. The number of persons registered as voters upon such rights is 238, but the majority of these are qualified to vote as 10*l.* householders, or under another ancient and reserved right, as inhabitant householders within the old borough.

Fees on admission to office or freedom.

On the admission of each mayor, alderman and assistant, a fee of 9*s.* 6*d.* is paid to the town clerk, and a fee of 2*s.* 6*d.* to the same officer on swearing in justices of the peace. All these fees are paid out of the corporation funds. On admissions to the freedom by purchase or presentation, the total amount paid by the party admitted is 4*l.* 3*s.*, composed of 3*l.* for the stamp duty, 1*l.* 1*s.* to the town clerk, and 2*s.* to the serjeants-at-mace. On freedoms by servitude, the amount paid is 1*l.* 16*s.*, consisting of 1*l.* for the stamp duty, 14*s.* to the town clerk, and 2*s.* to the serjeants-at-mace.

Officers of the Corporation.

The Officers of the corporation are—

A High Steward,
Mayor,
Recorder,
Town Clerk,
Chamberlain,
Gaoler, and
Two Serjeants-at-Mace.

High Steward, how elected.

The High Steward, who is required to be an eminent man (*vir præclarus*), is elected by the mayor, recorder and aldermen; by the charter, the recorder appears to have no voice in this election. This officer, like the recorder, must be approved by the crown upon his election, and holds his situation during the pleasure of the King.

The office is entirely honorary, and no duties or emoluments are attached to it.

Mayor, his functions.

The mode of electing the Mayor has been already described. He is a justice of the peace for the borough, and as such presides in the court of quarter sessions; he is also one of the judges of the court of record, *custos rotulorum* for the borough, clerk of the market, and, by immemorial usage, returning officer at elections for Members of Parliament. During his illness, or necessary absence from the borough, he has power to appoint one of the aldermen as his deputy. He continues to be a justice of the peace for one year after the expiration of his mayoralty.

Salary and Emoluments.

The mayor has now no Salary or Emoluments. The allowance made towards his official expenses, arising entirely from hospitalities, has varied at different periods. From 1812 to 1827, the allowance was 150*l.* for his year of office, during which period he was expected to give six large and expensive dinners; from 1827 to 1831, the allowance was 100 guineas; during both these periods, the expenses of the office exceeded the amount of the allowance by upwards of 100*l.* per annum. Since the year 1831 no allowance has been made, and the mayor defrays the expenses from his own purse.

The

The Recorder is, *ex officio*, one of the justices of the peace for the borough, and is by the charter of the quorum in the sessions of the peace and in the court of record. The present recorder presides at the quarter sessions whenever any prisoners are to be tried. He receives a salary of 4*l.* a year.

Recorder, his functions.

The Town Clerk, who must be versed in the laws and a freeman of the borough, is appointed, upon a vacancy, by the mayor, recorder and aldermen. He must be approved by the crown, and holds his office during the King's pleasure. He is authorized to act by deputy, in case of his own inability or upon any lawful occasion, to be approved by the common council. His duties are, to keep the records and muniments of the corporation, to act generally as clerk of the peace and clerk to the borough justices, to attend all courts and meetings of the corporation and enter the minutes of their proceedings. He receives a salary of 10*l.* a year from the corporate funds. His incidental emoluments arise from his professional charges for business done by him as solicitor for the corporation, fees on the admission of freemen and on swearing in corporate officers, and also the usual fees as magistrates' clerk for summonses, warrants and orders. The whole of the receipts of the town clerk, including his salary, amount to about 80*l.* a year.

Town Clerk, how elected.

His duties.

His Salary and Emoluments.

The Chamberlain is elected from among the inhabitants of the town, by the mayor and aldermen, and holds his situation during their pleasure. His duties are, to collect the income of the corporation and to make payments on their account. The ordinary charges on the corporation, such as salaries of officers, rates and taxes, are defrayed by him, without any express order; but the bills for law expenses, repairs and other uncertain heads of expenditure, are submitted by him to the corporation for their allowance, and he has no authority to pay them without an order for that purpose. He renders his accounts annually to the mayor and aldermen. On his appointment he enters into a bond, with two sureties, conditioned for duly accounting to the corporation, when called upon, and paying over to them the balances of monies received by him.

Chamberlain, how elected.

His duties.

He receives no salary, but is allowed a poundage of 1*s.* in the pound upon the amount of the rents collected by him. On an average of the fourteen last years, it appears that the profits of the office of chamberlain have amounted to 14*l.* 4*s.* 3*d.* per annum.

Emoluments.

The mayor is authorized, from time to time, to appoint a Gaoler or Keeper of the prison. In practice, the appointment is an annual one. As the borough prison is nothing more than a ward of the county gaol, it has been found convenient to appoint the same person to be gaoler to both. He is paid for his services by the county, but has no salary or emoluments incidental to his appointment as borough gaoler.

Gaoler.

The Serjeants-at-Mace are appointed by the common council, and hold their situations during the pleasure of that body. Their duties are, to execute process in the court of record, and to attend upon the mayor and aldermen. They are also sworn in as constables.

Serjeants-at-Mace, how elected. Their functions.

Each of the serjeants-at-mace receives a Salary of 10*l.* a year for his general services. They also receive the following annual payments; namely, 6*l.* each for collecting the tolls and the piccage and stallage; 3*l.* 18*s.* for superintending public-houses; 2*l.* 5*s.* for attending to public-houses on Sundays; and 1*l.* 11*s.* 6*d.* for setting up stalls in the markets. In addition to these payments, they are entitled to some small customary fees on freedoms and on serving process. Upon an average of the last fourteen years, the receipts of the serjeants-at-mace, from all the above-mentioned sources, have not amounted to 25*l.* per annum.

Salaries, &c.

The corporation are empowered, by their charters and bye-laws, to impose Fines upon their own members who refuse to serve corporate offices. These fines are now seldom imposed; a fine of 20*l.* imposed on an alderman in 1827 for refusing to serve as mayor, and paid by him, being the only instance of such a fine within the memory of the present officers of the corporation.

Fiens on refusal to serve Corporate Offices.

A Court of Quarter Sessions is holden four times a year, before the mayor, recorder, aldermen and justices. At these sessions the presence of the mayor or the recorder, or of the deputy of either of them, is by the charter necessary in order to form a court. In practice, the recorder or his deputy always presides, and is the acting judge of the court. The jurisdiction of this court does not extend to treason, murder, or to any felony or other matter touching the loss of life or limb, and the county magistrates are expressly authorized by the words of the charter to act within the borough. The amount of business is inconsiderable, 14 cases only having been tried in the years 1832 and 1833. All serious cases are transmitted to the county assizes or sessions. The fees of court are precisely the same as those of the county sessions.

Courts. Quarter Sessions.

The governing charter enables the corporation to hold a Court of Record every Wednesday, before the mayor or recorder, or either of their respective deputies. This court has cognizance by plaint of all personal causes of action arising within the limits of the borough, in which the debt or damages sought to be recovered do not exceed 60*l.* Formerly much business appears to have been done in this court; but previously to 1782 it had gradually declined, and at that time it fell into total disuse. In 1827 the corporation revived it upon a petition from the inhabitants, stating many advantages to be derived from the active existence

Court of Record.

HERTFORD.

of such a court in Hertford. The experiment was readily tried; the court was opened, and as many attornies were admitted as applied for that purpose; but the result did not justify the expectations entertained of its utility. In the year 1828, 23 summonses were issued; in 1830, three; in 1831, five; in 1832, two; and in 1833, three. A jury has only once been summoned since the revival of the court, which was merely to assess damages on a writ of inquiry.

Court of Clerk
of the Market.

A Court for the regulation of weights and measures is held once a year within the borough, before the mayor, as Clerk of the Market, and the other justices. A jury of persons, selected by the town clerk from the inhabitants not using weights or measures, is charged and sworn at a sessions specially appointed for that purpose; their duty is to go round the town and carefully to inspect the weights and measures in the shops. They seize such as are defective, and bring them before the mayor and magistrates, in whose presence they are proved. If the deficiency is inconsiderable, the weight or measure is rectified; but if so defective as to be obviously fraudulent, it is destroyed, and the owner is fined at the discretion of the court. No fine, however, is ever imposed above 6 s. 8 d.

Magistrates.

The Borough Magistrates consist of the mayor, the late mayor and the recorder. The county magistrates, though they have concurrent jurisdiction, do not interfere within the borough. Petty sessions are holden every Wednesday, at which two of the three borough magistrates are regularly in attendance.

Police.

The Police of the town, which is undoubtedly insufficient, is under the control of the mayor and magistrates. The whole force consists of the two serjeants at mace, seven constables, named and sworn in the ordinary manner by the parishes, two watchmen and two patrols appointed by the commissioners under the local Acts for paving, watching and lighting the town of Hertford.

Gaol.

There is no separate Gaol appropriated to the borough; but under an arrangement with the county magistrates, one ward in the county gaol, which adjoins the town, is exclusively used for borough prisoners. This ward is nominally under the control of the corporation; but the practical management of the whole gaol, including this ward, rests with the visiting magistrates of the county. The whole expenses of the gaol are paid out of the county rate.

Juries.

The Grand Juries are nominated by the town clerk from the wealthier class of inhabitants. The Petty Juries, in criminal cases, are chosen from the tradesmen of the town, care being taken that each qualified person serves once in the year. When a jury is required in the court of record, the serjeant at mace summons indiscriminately as many respectable tradesmen as are requisite.

Property and Ex-
penditure.

The Property of the corporation consists of houses and land, quit rents or ground rents for small encroachments on the waste, the butchers' market, built by the corporation with their own funds in 1781, tolls and stallage at the fairs and markets, and the water works in Great Hartham, which supply the town with water. Their ordinary income is derived from this property, and also from fines on freedom, and a small payment of 1 s. per head for every horse or cow agisted in Hartham meadow by the commoners. Their extraordinary income arises principally from fines on the granting or renewal of leases of the corporate buildings and land.

The following Tables will show, under the different heads, the ordinary and extraordinary annual receipts, and also the annual expenditure of the corporation, upon an average of the last 14 years.

ORDINARY RECEIPTS.

	£.	s.	d.
Rents of houses, &c.	92	—	—
Quit-rents	6	3	6
Rents of the butchers' market	23	15	6
Fines on freedoms	51	11	8
Sale of corn	49	4	5
Ditto of cattle and fairs	20	5	10
Stallage	74	15	11
Water rent	143	2	8
Agistment fees for Hartham	5	18	8
Fines on corporate officers	1	9	1
	468	7	3

EXTRAORDINARY RECEIPTS.

Fines on leases and renewals, and other small payments	82	1	—
Total Receipts of the corporation	£. 550	8	3

EXPENDITURE.

EXPENDITURE.						£.	s.	d.	HERTFORD.
Allowance to the mayor and salaries of officers	-	-	-	-	-	224	5	3	
Repairs of buildings,* water works, &c.	-	-	-	-	-	101	3	3	
Law expenses	-	-	-	-	-	77	14	5	
Rates and taxes	-	-	-	-	-	96	7	11	
Interest of debt	-	-	-	-	-	19	6	5	
Constables	-	-	-	-	-	12	18	9	
Printing and stamps	-	-	-	-	-	11	13	1	
Quit rents	-	-	-	-	-	3	7	2	
Miscellaneous expenses, consisting of pensions, insurance, subscriptions to charities, fees to the crown on approbation of the election of officers, fees to chaplain and other small payments	-	-	-	-	-	53	16	1	
						£.	600	12	4

Upon these tables it must be remarked, that the average of 14 years does not exhibit an accurate statement of the present receipts or expenditure of the corporation. In some particulars the income has much fallen off since the commencement of that period; for instance, in consequence of the discontinuance of the practice of pitching grain for sale in bulk in the market, and the introduction of selling by sample, the toll of corn, which in 1820 amounted to 109*l.* 17*s.* was in the last year only 21*l.* 6*s.* The profits of the butchers' market and the tolls of cattle have also been reduced within the last 14 years fully 50 per cent. As there is no compensating improvement in the other sources of income, the present receipts of the corporation do not exceed 480*l.* per annum. On the other hand, some parts of the expenditure have been greatly reduced or entirely saved; thus the allowance to the mayor, which from 1820 to 1826 was 150*l.* per annum, and from 1826 to 1831, 105*l.* per annum, has been now wholly discontinued. The miscellaneous expenses have also been very considerably diminished. Independently, therefore, of the heavy charge of the chancery suit in which the corporation are now involved, it may be taken that their income is at least equal to their ordinary expenditure.

The only debt to which the corporation are liable is a sum of 500*l.* secured by a mortgage of the butchers' market. This money was borrowed in the year 1831, to pay off the balance then remaining due on several bond debts, amounting originally to 800*l.*, contracted in previous years to meet an excess of expenditure above the income. The first part of this debt, consisting of a sum of 200*l.* was contracted in 1820, to defray the expense of repairs, amounting in that year to nearly 300*l.*, and subscriptions to certain charities exceeding 60*l.* A further sum of 300*l.* was borrowed in 1823 to discharge the arrears due to two aldermen for their allowances during their respective mayoralties. The residue of the debt of 800*l.* was contracted in 1829, and consisted of a sum of 300*l.* borrowed to pay the damages and costs in an action brought against the mayor for that year, in consequence of a mistake committed by him under the advice of the then town clerk. Of this debt the sum of 300*l.* was paid off previously to 1831.

It must be remarked, upon a review of the income and expenditure of the corporation, that though the revenues do not fall far short of 500*l.* a year, a very small part of them appear to have been expended upon objects of a public nature, or which confer any substantial advantage upon the inhabitants of the town. No considerable street improvements, no gaol, no watching, paving or lighting, and only a very imperfect police are paid for or maintained by the corporate funds. On the other hand, more than one-fourth part of the whole income of the corporation was for many years given to the mayor for the express purpose of being spent by him in hospitalities and entertainments.

In granting leases of the corporate property, we could not perceive any improvidence or partiality in the conduct of the corporation. On the falling in of old leases, the renewals appear of late years to have been always granted by auction, upon a fair competition; and no corporate houses or land have been held by members of the corporation during the last 16 years.

The corporation possess no ecclesiastical patronage of any kind. The mayor, high steward, recorder, aldermen and town clerk are governors of a small endowed school at Hertford, called the Green Coat School, and nominations to that institution are made by the governors in rotation. The corporation have also the right of presenting one boy to Christ's Hospital. The mayor and nine chief burgesses are governors of a free-school, called Hale's Grammar School; their only patronage, however, connected with this foundation, is the right to appoint a schoolmaster in case of the occurrence of a vacancy during the minority of the heir at law of the founder.

The only Local Acts relating to the town of Hertford are the 28 George III. c. 75, intituled, "An Act for paving the Footways, and cleansing, lighting and watching the Streets and other Public Passages and Places within the borough of Hertford, and removing and preventing Obstructions, Nuisances and Annoyances therein;" and an Act of the 9 George IV. c. xxxviii. passed to amend and extend the provisions of the former Act.

The

* By an Act of Parliament passed in 1763 for rebuilding the Shire-house of the town of Hertford, one-third of the expense of repairing that building is imposed on the corporation.

HERTFORD.
General State and
Prospects.

The town of Hertford appears to be improving in wealth and general prosperity. No peculiar manufacture is carried on there, but the retail trade and the number of inhabitants are increasing, and the buildings and streets of the town are said to have been much improved. The corporation is unpopular and is regarded with suspicion, especially amongst the lower class of the inhabitants; but this circumstance is to be attributed rather to the adherence of the members of the corporation to a political party, than to any misconduct or partiality in their municipal government. At the present moment this feeling is aggravated by an unusual degree of excitement caused by the two last elections for Members of Parliament, and by the pendency of a chancery suit against the corporation, in which the less wealthy inhabitants of the borough conceive their interests to be materially involved. As this suit is at present in a course of litigation, we conceived that we were not authorized to inquire into its particular merits.

London, Feb. 22, 1834.

David Jardine.

Henry Roscoe.

REPORT

ON

THE CORPORATION OF KINGSTON-UPON-THAMES.

(SURREY.)

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KINGSTON-
UPON-THAMES.

CORPORATION OF KINGSTON-UPON-THAMES.

1. LIMITS :

The town of Kingston-upon-Thames is situate within the manor of the same name. The manor is situate within the hundred of Kingston.

Limits of the
Town.

The boundaries of the Town, in the ordinary use of the word, are not ascertained ; nor does it seem that any peculiar jurisdiction is exercised by the corporation there.

The freemen of the town, to whom the charters are granted, are selected from the free tenants of the manor ; and (except the liberty of exclusive trading within the town) whatever liberties are enjoyed within the town are enjoyed throughout the manor.

Of the Manor.

The boundaries of the Manor are well known. They were perambulated every year, until the minute printed description made and published by the Commissioners under an Act for inclosing waste lands within the manor of Kingston and Imworth, rendered the yearly perambulation unnecessary.

The manor contains the town of Kingston ; hamlet of Hook ; parish of Long Ditton ; hamlet of Cleygate ; liberty of Combe Neville ; parish of Petersham ; mesne manors of Ham, or Ham and Hatch, and Kingston-Canonbury.

The hamlet of Hook includes the mesne manor of Berewell Court ; the parish of Long Ditton includes the hamlet of Talworth ; and Cleygate is a hamlet of the parish of Thames Ditton.

Hundred of
Kingston.

Besides the liberties enjoyed by the corporation within the manor, they enjoy certain other privileges and jurisdictions in the Hundred of Kingston.

This hundred contains, besides the manor of Kingston-upon-Thames, the parishes of Maldon, Richmond and Kew, a district called Ditton Marsh, and part of the parish of Thames Ditton.

The limits of the several districts, not described as parishes, in the manor and hundred, in no instance coincide with parochial boundaries. Ham and Hook are the only districts maintaining their own poor.

The present parish of Kingston-upon-Thames includes Ham and Hook, and the town of Kingston ; but there are separate overseers for the town.

The hamlet of Surpeton, or Surbiton, mentioned in the Charter of James 1st, and the hamlet of Norbiton, are now integral parts of the town of Kingston.

Hundreds of Elm-
bridge, Copthorne
and Effingham.

The corporation further enjoy and exercise certain privileges and jurisdictions throughout the hundreds of Elmbridge, Copthorne, and Effingham.

Hence, their jurisdictions and privileges extend, in a greater or less degree, throughout the four hundreds of Kingston, Elmbridge, Copthorne and Effingham, forming a large division of the county of Surrey.

Extreme Limits.

Tabular View of
the Jurisdiction.

It is believed that the following table contains a complete description of the jurisdictions and privileges of the corporation as exercised and enjoyed in any parts of the four hundreds above mentioned.

Tabular View of the places and districts wherein the undermentioned liberties, privileges and jurisdictions are actually exercised and enjoyed by the bailiffs and freemen of Kingston-upon-Thames :—

1. Court of record and return of writs	- - - - -	throughout the } hundreds of - }	Kingston, Elmbridge, Copthorne and Effingham.
2. Office of coroner, clerk of the market, grant of fines and amerciaments, &c.	- - - - -	throughout the } hundreds of - }	Kingston and Elmbridge.
3. Criminal jurisdiction, and office of justice of the peace	- - - - -	throughout the } hundred of - }	Kingston, except Richmond and Kew.
4. Appointment of constables	- - - - -	throughout the } hundred of - }	Kingston, except Richmond, Kew, Petersham, manors of Ham and Kingston-Canonbury.
*5. Court leet and court baron	- - - - -	throughout the } manor of - }	Kingston-upon-Thames, except as last excepted.
6. Guild merchant	- - - - -	throughout the } town of - }	Kingston-upon-Thames.

7. It seems that certain persons have been from time to time elected into the corporation, in right of their tenements in the mesne manors of Ham and Kingston-Canonbury.

Owing

* It seems highly probable that the manor formerly extended throughout the hundred. In an ancient roll of the court leet and view of frankpledge, held 11 Henry 6, the jury present all matters within Maldon and Thames Ditton, in the same manner as within the parishes and hamlets of the manor.

Owing to the great complexity of boundary and jurisdiction, considerable doubt exists amongst those who are best acquainted with the subject, both as to the limits of the several districts throughout the hundred of Kingston, and the exact extent of jurisdiction which the corporation are entitled to exercise in those districts.

The foregoing table was framed with the assistance of those best acquainted with the boundaries of the manor and hundred, as well as with the jurisdiction and privileges actually enjoyed.

It appears from Domesday, under the title *Terra Regis in Com. Surr.* that "the King held Chingestune in demesne. It had been of the firm of King Edward, &c."

2. CHARTERS
Domesday.

The first charter granted to this town bears date 26 April 1199. By that charter King John "granted to the freemen of Kingston that they should hold the said Vill of Kingston with its appurtenances in fee-farm of him and his heirs for ever, paying 12 *l.* per annum over and above the firm *theretofore due*;" which was 28 *l.* 10 *s.* blanc, or 29 *l.* 18 *s.* 6 *d.* by tale.

1 John.
Grant of Vill

This charter is not now in the possession of the corporation.

By a charter dated 23d September 1208, in the tenth year of his reign, the same King confirmed to the freemen of Kingston the Vill, &c. in fee-farm, "with all the liberties and free customs which the said town was accustomed and ought to have at the time in which it was in the King's own hands;" paying the yearly sum of 50 *l.* in silver, whereof 28 *l.* 10 *s.* being the ancient firm in blanc, and the rest in tale.

10 John.

The next charter was granted by Henry 3d, and bears date 10 September 1256, in the fortieth year of his reign. By this charter was granted to the "freemen of Kingston," and their heirs, freedom from arrest, "throughout all our land and power," of their persons and goods, on account of any debt for which they were not sureties or principal debtors, unless the debtors were of their own community and able to make satisfaction, and the said freemen were wanting in justice to the creditors.

40 Hen. 3,
10 September.

Two days afterwards the same King granted by charter to the freemen of Kingston a yearly fair on the morrow of All Souls, and seven days following, with all usual liberties and free customs.

40 Hen. 3,
12 September.
Fair.

And on the day following the same King, by a third charter, granted to the said freemen (amongst other things) the Return of all Writs from the Exchequer and all other writs touching their town:

40 Hen. 3,
13 September.
Return of Writs.
Coroners.

The power to choose Coroners from themselves for the town:

That they should not be impleaded without their town of any tenements or chattels within the same, without the King's writ:

That they should have *their Guild Merchant* in their town, as they formerly had it, and as the men of Guildford, had, together with other their liberties, just laws and customs, theretofore enjoyed.

Guild Merchant.

This charter was confirmed by a charter of Edward 3d, dated 31st January, in the 16th year of his reign.

16 Edw. 3.

By a lost charter of 1st June 1351, the same King ordered that the Fair holden on Thursday in Whitsun week, should be continued seven days longer.

25 Edw. 3.
Fair.

King Richard the 2d, by a charter dated 22d April, in the first year of his reign, confirmed the above charter, and the second charter of John;

1 Ric. 2.
Confirmation.

Which charters were again confirmed by Henry 4th, by charter dated 29th May, in the first year of his reign.

1 Hen. 4.
Confirmation.

King Henry 5th, by charter dated 21st November, in the first year of his reign, after confirming all former charters, released to the freemen of Kingston 24 *l.* of the Rent reserved in the second charter of John; and confirmed the vill and liberties aforesaid to the said freemen, at the yearly rent of 26 *l.* only.

1 Hen. 5.
Release of Rent.

This charter was confirmed by the same King, 1st March 1421, in the eighth year of his reign; but the fee-farm was called 26 *l.* 6 *s.* 8 *d.* This charter is not extant amongst the records of the corporation.

8 Hen. 5.
Confirmation.

King Henry 6th by charter (also missing) dated 18th March 1441, in the 19th year of his reign, granted to "the freemen of Kingston that they should be one body in right and name, and one commonalty corporate for ever, of two bailiffs of the said town, and the freemen of the same, by the name of 'The Bailiffs and Freemen of the Town of Kingston-upon-Thames,'" and that they should have a Common Seal.

19 Hen. 6.
Body Corporate.
Bailiffs.
Title.
Common Seal.

He also granted that they should have a Clerk of the Market.

Clerk of the
Market.
27 Hen. 6.
Custody of the
Bridge.

By charter dated 2d February, in the 27th year of his reign, the same King granted to the bailiffs of Kingston the Custody of the Bridge, and a toll for 51 years, towards the repair of the bridge.

Edward 4th, by charter dated 26th February 1480-81, in the 20th year of his reign, recites and confirms the second charter of John, the third charter of Henry 3d, the first

20 Edw. 4.

KINGSTON-
UPON-THAMES.Court of Record.
Escheats.

charter of Henry 5th, and the first charter of Henry 6th. He further recites that by virtue of the charter of John, the freemen were accustomed to have a Court on every Saturday before the bailiffs and steward, with power to determine all personal matters whatever, according to the common law, and also had, "within the town and liberty the demesne of the said town and hundred of Kingston and Elmbridge immemorially appertaining thereto," all kinds of Escheats, &c.

Title.

He then grants and confirms to the freemen, by the name of "the Bailiffs and Freemen of the Town of Kyngeston-upon-Thames, in the county of Surry," the weekly court and escheats above-mentioned; and further grants them to have one or two Serjeants at Mace.

Serjeants at Mace

9 Hen. 7.
Confirmation.
1 Hen. 8.
Confirmation.

The charter of Edward 4th was confirmed by a charter of Henry 7th, dated 10th July, in the 9th year of his reign; which charter was confirmed by another of Henry 8th, dated 12th March, in the first year of his reign.

33 Hen. 8.
Further Release
of Rent.

The same King, by warrant enrolled in the Court of Augmentation, and dated 28th December 1541, in the 33d year of his reign, commanded the treasurer of that court to deduct from the fee-farm of the town all such sums of money as were payable to the bailiffs and freemen out of any hereditaments that came into the possession of the Crown. These sums amounted to 10 *l.* 19 *s.* 6 *d.*; leaving a rent thenceforth payable of 15 *l.* 17 *s.* 2 *d.*

1 Edw. 6.
Confirmation.

Edward 6th, by charter dated 24th April, in the first year of his reign, confirmed the charter of Henry 8th.

2 & 3 Ph. & Mary.
Fair.
Fish-wear.

This charter was also confirmed by another of 2 & 3 Philip & Mary, dated 25th March 1556. A third Fair on the day and morrow of St. Mary Magdalen was granted by this Queen; and also liberty to erect a "fyshe-ware" in the Thames, free of rent; so as the "farre-waye," or navigation of the river, was not obstructed.

1 Eliz.
Confirmation.

Queen Elizabeth, by charter dated 7th May 1559, in the first year of her reign, confirmed the charter of Philip & Mary.

34 Eliz.

In confirmation of the privileges of the townsmen, as tenants in ancient demesne, Queen Elizabeth, by her precept bearing date 5th August 1592, in the 34th year of her reign, and directed to all justices, sheriffs, &c., reciting that "the demesne of Kyngeston and Emley-bridge is of the ancient demesne of the Crown of England, whereby the men and tenants thereof are quit from the payment of Toll throughout the realm, and from the contribution of the expense of Knights coming to the Parliament, and ought not to be put upon any Assizes, Juries or Recognizances, unless in the courts of such manors," commands accordingly.

Exemption from
Toll.
Knights' Fees,
and Service on
Juries.

1 James 1.

James 1st, by charter dated 17th November 1603, in the first year of the reign, granted,

Court of Assembly.

That the bailiffs and freemen, or the major part of them, the bailiffs being two, may, as often as shall be fit and necessary, hold a Court or Assembly at the guildhall, for the public business and government of the town; with power to make reasonable bye-laws:

Court of Record.

That the weekly Court (in the absence of the steward) be held before the bailiffs and recorder, or two of them, for the determination of all personal matters arising within the town and its precincts, and the hundred of Kingston and Elmbridge:

Justices.

That the bailiffs, steward and recorder be Justices of the peace within the town and its precincts, and within the hamlets of Surpeton, Ham and Hatch; with power to inquire of, hear and determine all felonies, causes and articles, in as ample a manner as the justices for the county of Surrey; and that the corporation have a Gaol within the town (as it appears they had so early as the time of Richard 2d):

Gaol.

Saturday Market.

And that they may hold a weekly market on Saturdays, and receive the tolls of the same.

4 Charles 1.
Principal Charter.

The Principal Charter of this town was granted by Charles 1st, in the fourth year of his reign, and bears date 13th December 1629. This charter, after reciting at length all the liberties and privileges granted by the King's predecessors, confirms all prior grants, and ordains that *the Freemen and corporate Officers*, for whose election no mode was prescribed in the former charters, *shall be elected according to ancient custom.*

Election of Free-
men and Officers.

The office of high steward is first mentioned in this charter; but all the other offices now in use are recited as then existing.

The town is now governed, and all elections are made, according to the provisions of this charter.

Hundreds of
Copthorne and
Effingham;
in exchange for
Richmond, &c.

By this charter, the jurisdiction of the court of record and liberty for the return and execution of writs, was extended throughout the hundreds of Copthorne and Effingham, on condition that the corporation should release to the Crown that part of the jurisdiction of their ancient court leet and view of frankpledge being within the manor of Richmond, and hamlet of Richmond and Kew, and Petersham, and the manor of Ham appurtenant to the manor of Richmond. This jurisdiction was accordingly released by the bailiffs and freemen.

13 Charles 2.
Wednesday
Market.

By charter, dated 13th May 1662, in the 13th year of his reign, Charles 2d granted a market, to be held on Wednesday, with the tolls of the same.

Surrender of the
Charters.

A resolution is entered in the order-book, dated 27th November 1684, that the corporation should surrender their Charters and privileges. They were accordingly surrendered under the

the common seal on 10th January 1685, to Charles 2d. The King dying in a month after, a like surrender to King James 2d was sealed on 18th June 1685. That King, by his letters patent, dated 28th August 1685, incorporated the burgesses again by the title of Mayor, Aldermen and Burgesses, with a power reserved to the Crown of removing the corporate officers from time to time, by writ of privy seal.

It does not appear that these surrenders were enrolled; but the new charter was acted upon until the proclamation for restoring corporations to their ancient charters, when the surrenders were cancelled, and the old corporation revived.

The Corporate Body consists of the bailiffs and freemen.

They are styled "The Bailiffs and Freemen of the Town of Kingston-upon-Thames, in the County of Surry."

The Members of the corporate body are,

The two Bailiffs.
High Steward.
Recorder.
Gownsmen and Peers; and,
Fifteens.

These officers are all, and the only, Freemen of the town.

The Governing Body consists of all the members of the corporate body, and is styled "The Court of Assembly."

The Members of the Corporation are thus elected:

The Bailiffs are elected on the Sunday (now, by statute, on the Saturday or Monday) before Michaelmas, which is the charter-day.

The fifteens, or eight of them, nominate four gownsmen or peers, from whom the bailiffs for the time being, with the recorder and high steward, select one; the rest of the gownsmen and peers present, by a mere majority, select another, to be bailiffs for the year ensuing.

The high-steward is never present at the election.

In the election of the four nominees, the fifteens meet in their own room, where candidates are proposed. When proposed, their names are written upon a sheet of paper, which is placed apart in the room. Each fifteen goes alone to the paper, and gives his vote by scratching the name of one of the candidates with a pen; a form of the vote by ballot. This mode of voting has existed for at least 300 years.

The bailiffs are removable for misconduct; but there is no modern instance of amotion.

A bailiff elect is liable to a fine of 30*l.*, for refusing to accept the office. This fine is exacted, unless upon reasonable excuse.

The High Steward is elected for life at a court of assembly. No qualification is requisite, and the office is usually filled by some person of rank or influence.

The Recorder is also elected at a court of assembly. He is required to be "skilful in the laws," and is in practice a barrister-at-law. He is liable to amotion for misconduct, but there is no modern instance of removal.

The Gownsmen are peers who have served the office of bailiff.

The Peers are persons who have been members of the body of fifteens, from which body two are annually voted out.

The Fifteens are so called from their number. On the charter-day in every year, two of the fifteens go out and become peers. They are voted out by a majority of eight, and their places are filled in the same way, from amongst the free tenants of the manor. Both votes are taken by ballot. The annual election of the new members is called the election of Ale-conners, the newly-chosen fifteens being immediately appointed to that office. Upon other vacancies, the fifteens fill up their body by a similar vote, from among the free tenants of the manor.

The ale-conners are liable to a fine of 15*l.* for refusing office. This fine has not been exacted in modern times.

By the charter of Charles 1st, it is granted that "the Freemen then being, and so many and such others as thenceforth, according to the custom and usage in the same place theretofore used and approved of, should be elected from time to time from the free tenants of the manor of Kingston-upon-Thames unto the freemen of the said town, shall be freemen thereof, as theretofore was anciently the usage of the same place." And further, "that it shall be lawful for the freemen at their pleasure to elect from the free tenants of the manor as many and such freemen of the said town as shall seem necessary to them," and to fine them who refuse to accept their freedom.

The high steward and recorder are believed to become free by virtue of their office. They have always been considered as members of the court of assembly, whether free tenants of the manor or not, and sworn in as freemen.

The elections of freemen have always been confined to the annual election of ale-conners, so that the court of assembly comprises all the members of the corporation.

KINGSTON-
UPON-THAMES.

1 James 2.

3. CORPORATE
BODY.

Title.

Members.

Governing Body,
or Court of
Assembly.

Election of Mem-
bers of the Corpo-
rate Body.
Of Bailiffs.

Of the High
Steward.

Of the Recorder.

Of the Gownsmen.

Of the Peers.

Of the Fifteens.

The Freemen.

KINGSTON-
UPON-THAMES.Functions, Privi-
leges, &c. of
Members of the
Corporate Body.
the Bailiffs.

The present number of freemen, *i.e.* of members of the corporation, is 57.

The number of free tenements of the manor is 503, and of free tenants, 273.

The Functions, Privileges and Emoluments of the members of the corporate body are as follows:

The Bailiffs preside and vote at the courts of assembly, which cannot be held in their absence. They are justices of the peace during their year of office and the following year, and in that capacity they hold sessions of the peace and petty sessions. They are judges of the court of record, and preside at the court baron.

They are clerks of the market in the town and hundreds of Kingston and Elmbridge.

They elect, with the recorder, one of the bailiffs from the four nominees of the fifteens. They appoint the counsel and attornies of the court of record. They have the custody of the gaol, and appoint the gaoler.

They are the distributors of certain charities. (*See "PATRONAGE."*)

They formerly received the tolls of the markets and fairs, which are let for 150*l.* a year. In 1826, however, it was ordered by the court of assembly that a sum of 50*l.* and no more should be paid to the bailiffs for those tolls.

They receive two-fifths of the revenues of the aytes and towing-path, amounting to 82*l.*; the quit-rents of the manor, amounting to 30*l.*; about 8*l.* a year, the amount of a fee of 4*s.* on every judgment in the court of record; and fees for the use of the corporation seal.

The whole amount divided equally between these officers is about 170*l.* per annum.

The bailiffs are expected to give three dinners in the year to the neighbouring gentlemen, and members of the corporation. They are also expected to contribute to all public subscriptions.

The expenses of the office are said to exceed the profits.

Of the High
Steward.

The High Steward is entitled to act as a member of the court of assembly, as a justice of the peace, and to vote in the election of one of the bailiffs. He never acts, and in practice the office is merely honorary.

He is entitled to 18 sugar loaves every year. These are worth about 9*l.*, and are usually distributed in charity.

Of the Recorder.

The Recorder is a member of the court of assembly. He is a justice of the peace, and presides at the sessions. He presides also at the court of record upon trial days; and is steward of the court leet.

He attends at the elections on charter days.

He receives a salary of 26*l.* 5*s.*, and 18 sugar loaves, per annum.

Of the Gownsmen
and Peers.

The Gownsmen and Peers, as freemen, are members of the court of assembly.

They are solely eligible to the office of bailiffs.

They act as homagers at the court baron, and occasionally as grand jurors at the sessions.

Of the Fifteens.

The Fifteens, as freemen, are members of the court of assembly.

They elect the four nominees for the office of bailiff, and almost all the other officers and servants of the corporation.

They elect the freemen and members of their own body by the yearly election of ale-conners.

They are summoned and act as the grand jury at the sessions, and as the jury at the court leet.

They are all of them headboroughs or constables, and are liable to serve throughout the hundred of Kingston during the whole time of their office.

Of the Freemen.

The bailiffs, gownsmen, peers and fifteens, in their character of Freemen, are exempt from serving as jurors except in the courts within the manor, and from payment of toll throughout the realm.

These privileges extend to all the free tenants in the manor, as tenants in ancient demesne, although none but the freemen have in practice enjoyed the former, and none at all have claimed the latter privilege.

The members of the corporation, as freemen, are also entitled to the freedom of the guild merchant of the town.

They and all the free tenants were probably entitled in ancient times to vote in the election of two Members of Parliament; for it appears that the town was so represented in five Parliaments during the reigns of Edward 2d and Edward 3d. (*Prynne's Register of Parl. Writs, Part. IV. p. 1020.*)

Of the Court of
Assembly.

The Court of Assembly have the control and management of the general affairs and property of the corporation, and make bye-laws and orders for the general government of the town, and of the guild merchant.

They meet when occasion requires, and vote by a majority of members present, who must be fifteen at the least.

The whole number of their members is 57; viz. the bailiffs, high steward, recorder, 16 gownsmen, 22 peers, and the fifteens. The meetings usually consist of 15 or 20.

The

The following are officers of the corporation;—

The Steward of the Court.

Town-clerk.

Two Coroners.

Two Bridge Wardens.

Two School Wardens.

Two Ale-conners.

Two Chamberlains.

Collector of Rents and Tolls.

Three Serjeants at Mace.

Hall-keeper.

Two Mace-bearers.

KINGSTON-
UPON-THAMES.

Officers of the
Corporation.

The corporation formerly appointed numerous subordinate officers, such as under-bailiffs, searchers of markets, weighers of flesh, &c., whose offices have fallen into disuse.

The King's attorney-general for the time being is, *virtute officii*, Steward of the Court of this corporation.

The Steward of
the Court.

This officer is one of the judges of the Court of Record.

The duties of the office are never performed by the attorney-general.

He receives every year 18 sugar loaves and two guineas; of which one guinea is repaid to the messenger of the corporation. A fee of 5 s. is also paid to the steward's clerk.

The Town-clerk is elected for life by the court of assembly. No qualification is required; but he is usually a freeman.

The Town-clerk.

The present town-clerk is now a peer.

He is the law adviser of the corporation. He is clerk of the peace, and prothonotary of the court of record and clerk of the court baron and court leet.

He is always appointed clerk of the magistrates, and solicitor and attorney for the corporation.

He is also, by custom, always chosen as the senior coroner.

He attends all meetings of the corporation, whether at courts of assembly or otherwise, and records their proceedings.

He has no salary; his fees, as clerk of the peace, and of the court baron and court leet, are very trifling. His fees as prothonotary are about 50 l. or 60 l. a year; as clerk of the magistrates 25 l. or 30 l.; as coroner, about 20 l. His general yearly bill amounts to about 80 l.

The whole profits of the office do not amount to 200 l. a year.

The two Coroners are nominally elected for a year, by the fifteens, on the charter day.

The Coroners.

Their office is exercised throughout the hundreds of Kingston and Elmbridge; although the coroner for the County of Surrey appears to act concurrently with the corporation coroners in the latter hundred.

In practice the town-clerk, as above stated, is always appointed to be senior, and the junior bailiff to be junior coroner.

The junior coroner does not act; and the office of senior coroner is in practice an appendage to the town-clerkship.

The two Bridge Wardens are elected every year, from the members of the corporation, to survey the state of the bridge. They have little duty, and no emolument.

The Bridge War-
dens.

The two School Wardens are elected in like manner. Their duty is to visit and superintend the school. They have no emolument.

The School
Wardens.

The two new fifteens are always appointed Ale-conners for the year. Their election is described above.

The Ale-conners.

These officers no longer perform the functions indicated by their name. They act, however, as searchers of weights and measures, and examiners of meat and other articles, at the weekly markets.

They are liable to a fine for non-acceptance of office. (See "ELECTION OF FIFTEENS.")

The two Chamberlains are elected, for a year, by the fifteens, on the charter day. No qualification is required; but they are always taken from amongst the fifteens, and are frequently continued in office for several successive years.

The Chamberlains.

Their duty is to receive the regular rental of the corporation, to make payments, and keep the accounts.

In practice, the office has hitherto been executed by the senior chamberlain, the junior only signing the accounts.

The present senior chamberlain, however, keeps his banker's account and transacts all other business in both names.

The chamberlains have no salary or emolument.

A Collector of Rents is appointed by the court of assembly; he has a commission of 2 per cent. on the money collected, and 10 per cent. on the collection of quit-rents.

The Collector of
Rents and Tolls.

Three Serjeants-at-Mace are appointed by the court of assembly during pleasure. They execute the process of the court of record.

The Serjeants at-
Mace.

M.C. 1.

Their

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Their fees of office amount upon an average to about 30*l.* each. One of them is also gaoler.

The Hall-keeper.

A Hall-keeper is appointed during pleasure by the court of assembly. He is the general attendant upon that court, and all corporation meetings; and serves notices of attendance, &c. He has a coat and hat every year, and a salary of 20 *l.*

The Mace-bearers.

Two Mace-bearers are appointed during pleasure by the court of assembly, to bear maces before the bailiffs, with a salary of 5*l.* a year.

4. THE GUILD
MERCHANT.

By the third charter of Henry 3d, it was granted to the bailiffs and freemen "that they should have their Guild Merchant in their town, as they formerly had it, and as the men of Guildford had."

Constitutions.

There is no record of the state and government of the companies of trades within the town before the reign of Elizabeth; but at a court of assembly holden the 28th March 1635, 6 Charles 1st, a body of orders and constitutions was made for the regulation of the companies, which are stated to be the same in effect and substance as certain orders and constitutions made in October 1579. The constitutions of 1635 were allowed by two judges of the courts of Westminster, and are in force at the present time.

Companies.

By these constitutions it was ordained, that the freemen of the town, *i. e.* persons free to carry on trade therein, should be divided into four Companies; viz.

The Woollen drapers.

Mercers.

Butchers (now Victuallers). And

Shoemakers (now Cordwainers).

The company of woollen drapers has been since discontinued.

Wardens.

Two Wardens are elected for each company by the freemen thereof, from amongst themselves, on Easter Monday, to serve for a year.

Clerk.

The town-clerk is Clerk of the companies.

Freemen of the
Companies.

The Freemen of the Companies, as such, have no connection with the corporate body, except in being subject to bye-laws, and orders made at the courts of assembly.

The freemen are *de jure*; and are,

1st. Apprentices bound to and serving a freeman in the town.

2d. The eldest son living of a freeman, upon the death of his father.

These are admitted by the bailiffs, on payment of a fee of 6*s.* 8*d.* and the usual stamp of 20 *s.*

A third class of freemen of the companies consists of freemen of the corporation, who are entitled, upon their election as freemen, or at any subsequent time, to the freedom of one of the companies.

These freemen pay the fee of 6*s.* 8*d.* and the stamp duty of 3*l.*

The freemen of the companies pay a quarterage to their respective companies, towards the expenses of their courts. This is, according to the bye-law, for a householder 8*d.*, for a journeyman 4*d.*; in practice, 8*d.* for married, and 4*d.* for single men.

The number of these freemen is 60; of whom, 10 are non-resident and 47 are members of the corporation. Of these, however, nearly all who carry on trade within the town had previously paid for *toleration*.

The freemen by servitude are gradually diminishing in number, and will probably soon become extinct.

The freemen of the companies are, in common with the freemen of the corporation, exempt from tolls of the fairs and markets.

Penalties.

None but freemen of the companies can carry on any trade, or use any mystery, science or occupation, or sell by retail within the town, (except at fairs), under a Penalty of 6*s.* 8*d.* for each offence, and the same sum for every market-day on which the party shall continue so offending. The market-days are two in the week.

Exemptions.

Wool-combers who have served an apprenticeship, themselves and children, are exempted from all such penalties, by stat. 35 Geo. 3, c. 124, and all soldiers and sailors, duly discharged, by a provision in the Mutiny Acts.

Foreigners.

The penalties are not strictly enforced against journeymen and keepers of "very small shops," such as fruit shops, small chandlers' shops, and the like. The higher class of tradesmen, however, are not permitted to trade without "a toleration." Of this class there are about five or six, who have not purchased their toleration; but they have been served with notice, and will be duly required to purchase it.

The toleration is granted by the corporation to any Foreigners desirous of trading within the town, upon payment of a composition, varying from 5*l.* to 30*l.* The sum varies with the nature of the trade, and the convenience of the situation in which it is carried on. The toleration is for life, but only extends to one trade; although the latter rule has not been strictly followed.

The following is a statement of the number and amount of tolerations during the last eight years :—

KINGSTON-UPON-THAMES

YEARS.	NUMBER.	AMOUNT.
		£. s. d.
1826 - - -	5	38 - -
1827 - - -	9	60 5 -
1828 - - -	5	70 - -
1829 - - -	7	52 10 -
1830 - - -	4	30 - -
1831 - - -	7	73 15 -
1832 - - -	4	50 - -
1833 - - -	3	40 - -
TOTAL in 8 Years -	44	414 10 -

This statement gives an average of nine guineas ; which, with the stamp and fees, amounting to 3*l.* 10*s.*, raise the average of each toleration to about 13*l.*

The greater number of tolerations, upon an average of many years, are those of the lowest amount.

The average income derived by the corporation from the tolerations during the eight years is 52*l.*

The institution of the guild merchant is now become a mere source of revenue to the corporation.

The privileges of the guild merchant have never been exercised beyond the limits of the town of Kingston, vulgarly so called.

The various extent and kinds of jurisdiction belonging to this corporation, have been already presented in a tabular form. See "LIMITS."

5. JURISDICTION,
Criminal and Civil.

The bailiffs and freemen are entitled to the Return and Execution of all Writs with the town and hundreds of Kingston, Elmbridge, Copthorne and Effingham, so that no sheriff may interfere, except in default of the bailiffs and freemen.

Return of Writs.

This privilege is fallen into disuse.

The following are the Corporation Magistrates :—

Magistrates.

The two Bailiffs,
Ex-Bailiffs,
Recorder and High Steward.

The steward of the court is a judge of the court of record.

Of these the four first are always resident ; the recorder and high steward are non-resident ; and the last is a merely nominal officer.

As justices of the peace the magistrates for the county of Surrey have a concurrent jurisdiction with the corporation magistrates. The latter act throughout the hundred of Kingston, excepting Richmond and Kew.

The Corporation Courts are,

Courts.

The Sessions of the Peace,
Petty Sessions,
Hundred Court,
Court of Record,
Court Leet,
Law Day,
Court Baron,
Court of Pie Poudre.

The Sessions of the Peace are held twice in the year, at Easter and Michaelmas, for the town and hundred of Kingston, except Richmond and Kew.

Sessions of the
Peace.

The four resident justices attend, and the recorder presides. The court has jurisdiction to try all but capital offences. The average number of felonies is about four in the year ; and about four misdemeanors.

The utmost punishment inflicted is transportation for seven years.

The sessions are attended by counsel.

The courts of quarter sessions for the county are held in turn at Newington, Reigate, Guildford, and the town of Kingston ; and the sessions for the town, being held only twice in the year, all offences committed between any town sessions and the next quarter or adjourned sessions for the county, are tried at such county sessions ; so that the offenders should not be imprisoned for more than six weeks.

The fees at the town sessions are very small, and the expenses of prosecution light.

The Petty Sessions (for the same district as the general sessions) are held every Saturday, or oftener if need be, before the bailiffs.

Petty Sessions.

The fees are the same as those taken in the county of Surrey.

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UPON-THAMES.

Petty sessions are also held every week, in the town of Kingston, before the neighbouring county magistrates.

Hundred Court.

The Hundred Court of Kingston was a court of ancient demesne, formerly holden before the bailiffs and suitors, on Saturday, once in three weeks. This is called, in the old court-books, *Curia cum Hundredo*.

The court has fallen into disuse. A recovery was suffered in this court, 6 James 1st, and a fine levied, 8 James 1st. The court-books contain no subsequent entries.

Court of Record.

A Court of Record is held weekly, on every Saturday, before the bailiffs, recorder and steward of the court, or any two of them.

In practice the bailiffs attend at the ordinary courts, and the recorder on trial days.

The town-clerk is the prothonotary, and the serjeants at mace are the officers, and execute the process of the court.

The court has jurisdiction in all pleas, personal and mixed, without restriction as to amount, in matters arising within the hundreds of Kingston, Elmbridge, Copthorne and Effingham.

Two counsel are appointed by the bailiffs, with the exclusive privilege of practising in this court. There being no resident counsel, the privilege is not enforced. This appointment is not made under any power granted by charter.

The bailiffs, by authority of the charter, appoint four attornies, with the exclusive privilege of practising in the court. This privilege is enforced.

Of these attornies, two only are members of the corporation.

In pleas under 40s., the serjeants at mace are allowed to issue process; but if the defendant appears, the cause is always resigned to the attorney.

The process of the court is by writ of *capias* or summons, bailable and serviceable process, of which the former is rarely used.

An appearance is required at the third court; the declaration is filed at that court, the defendant pleads at the fourth, and issue is joined at the fifth. The cause is usually ripe for trial in six weeks. Trials, however, do not often take place more than four times in the year; a trial-day being usually appointed for each of the four quarters.

The following Table contains the average number of suits commenced, continued and carried to final process in a year:

Writs issued under 40s. -	-	-	-	-	425	} 555
— - - above 40s. -	-	-	-	-	130	
Appearance and Declaration -	-	-	-	-	-	83
Trials -	-	-	-	-	-	3
Arbitrations -	-	-	-	-	-	3
Judgments -	-	-	-	-	-	52
Writs of Fieri Facias -	-	-	-	-	-	33
— - Capias ad Satisfaciendum	-	-	-	-	-	19

The costs are very moderate; the average expense of a trial and final process not amounting to 10*l*.

The bailiffs receive a fee of 2*s*. upon every judgment, and 2*s*. upon every writ of execution.

Court Leet.

The Court Leet is held before the recorder on Tuesday in Whitsun-week; the fifteens being the jury.

At this court, constables are elected for the whole hundred of Kingston, except Richmond, Kew, Petersham, and the manors of Ham and Kingston-Canonbury.

Nuisances within the manor are presented, and fines occasionally assessed and levied.

It appears by old entries in the court-books, that "all presentments at the court leet are affeered at the court baron."

Law Day.

It seems that "a Court or Law Day" is held by the fifteens, at their assembly on the charter-day, at which court they elect the high constables for the hundred of Kingston. Four persons are elected to serve this office; viz. the two fifteens going out and two of the middling inhabitants. The fifteens never serve, and their election is merely nominal.

Court Baron.

The Court Baron is held before the bailiffs on Tuesday in Whitsun-week, the gowmsmen and peers being the homage.

The only business actually transacted is the presentment of the death of free-tenants or alienations of free-tenements, upon which a relief of one year's quit-rent is payable by the new tenant to the corporation.

The homage also sign the presentment of the leet jury.

Court of Pie
Poudre.

The Court of Pie Poudre is disused.

Juries.

The fifteens are summoned upon Grand Juries; and in default the jury is completed by the gowmsmen and peers.

Since the passing of the New Jury Act, the petty juries have been summoned from the jury list for the hundred of Kingston.

The free-tenants of the manor, as tenants in ancient demesne, are exempt from serving on juries, unless in the courts within the manor.

The freemen are not put upon foreign juries; but the body of free-tenants have not in practice enjoyed or claimed their exemption.

By

By the charter of Charles 1st, and other charters, the town justices are enabled to commit offenders within their jurisdiction to the County Gaol and House of Correction. Such offenders are always sent to the county gaol or house of correction, and maintained there at the expense of the county.

The town gaol, is only used for the confinement of debtors.

The old gaol and public-house adjoining were lately sold for 1,000 *l.* A new gaol was erected on another site, at the cost of 1,100 *l.*, of which 100 *l.* was added to the proceeds of the old gaol, from the funds of the corporation.

The new gaol is a convenient building.

The average number of debtors confined is about five; the greatest number is nine or ten.

The bailiffs are keepers of the gaol and answerable for the safe custody of prisoners. They appoint a gaoler, with a salary of 10 *l.* a year. He lives in the gaol free of rent, rates and taxes. He is also a serjeant at mace and sheriff's officer.

The Police Force of the hundred of Kingston consists of,

Two high constables, who act throughout the hundred :

The fifteens, who are headboroughs within the town of Kingston :

Three constables and three watchmen for the town, and 14 headboroughs and constables for the rest of the hundred (except Richmond, Kew, Petersham, and the manors of Ham and Kingston-Canonbury.)

The excepted parishes and manors appoint their own constables; but the constables for Petersham, Ham and Kingston-Canonbury are within the jurisdiction of the corporation magistrates.

The high constables are appointed at the law-day, as above described. They receive no salary, and are not efficient as peace officers or superintendents of police.

The fifteens only act on emergencies; their station in life unfitting them for the performance of the ordinary duties of a constable.

The three town constables are appointed at the sessions, to act for the Town. One of these and the three watchmen, who are appointed under the Act for lighting and watching the town, constitute the night police.

One of the three town constables receives a salary from the trustees of the lighting and watching Act, of 85 *l.* a year; another is paid 20 *s.* a week, the third only receives the usual fees on the execution of warrants. One of the watchmen has 15 *s.* and each of the others 13 *s.* a week. These six are the only effective town officers. There is no system of police.

At the annual fairs and assizes three London policemen are in attendance, and are paid by the corporation.

The 14 constables for the Hundred are appointed at the court leet for the manor of Kingston, as above described.

One headborough and one constable are appointed for each of the districts of Talwarth, Cleygate, Hook, and the parish of Long Ditton, and a constable for Combe Neville.

One headborough and constable are appointed for each of the extra-manorial districts of Maldon and Thames Ditton, and a constable for Ditton Marsh.

These officers are appointed on the recommendation of the inhabitants of their respective districts. They are usually continued from year to year. They are only paid by fees on the execution of warrants.

They are like other officers of the merely rural police, and only act as parish constables, each in his particular district.

By an Act 13 Geo. 3, c. 61, "for the better lighting and watching the Town of Kingston, and removing obstructions therein," the bailiffs, high steward, recorder and justices for the town, and 89 other persons, were made trustees for carrying the Act into effect.

No persons can act as trustees unless they be seised of an estate within the town, of 10 *l.* yearly value, or occupy an estate there of the yearly value of 14 *l.*

Upon the death, removal, resignation, or refusal to act, of any trustee, the remaining trustees, or any 11, are authorized to fill up the vacancy.

All the powers of the Act may be executed at a meeting of 11 trustees.

The trustees are empowered to raise money for the purposes of the Act, by an assessment upon all persons occupying any tenement of the yearly value of 40 *s.* or more; such assessments not exceeding 2 *s.* in the pound, in any year, of the yearly rent of such tenement. The rates may be levied, after demand, by distress and sale.

A debt was originally contracted under this Act, but has been long since discharged.

The town was at first lighted with oil; but 80 gas lamps have lately been erected, at a cost of 2 *l.* 12 *s.* 6 *d.* per lamp. The old rate was 1 *s.* 3 *d.* in the pound, and has been increased to 1 *s.* 6 *d.* by the change. The town and bridge, however, are now well lighted.

Three watchmen and a night constable are appointed by the trustees, as already mentioned.

The assessment collected last year (for which the accounts exhibit an average of receipt and expenditure) was 343 *l.* 1 *s.* 8 $\frac{1}{2}$ *d.*

The disbursements were—

	£.	s.	d.
For Watching	201	18	1
Lighting	87	5	7
Law Expenses	20	—	—
Collector	17	2	4 $\frac{1}{2}$
Sundries	4	13	8
Balance	13	14	3

£. 343 1 8 $\frac{1}{2}$

KINGSTON-
UPON-THAMES.
Paving.

There is no Act for Paving the town. The main road through part of the town to Portsmouth is repaired by the trustees of the Surrey and Sussex roads, and of the upper district of the Kingston and Sheetbridge roads.

The surveyors are appointed for the parish of Kingston, which includes a much larger district than the town. (See "LIMITS.")

The surveyor's receipts, by rates and arrears, for the last year were 380*l.* 3*s.* 2½*d.*, the whole of which was disbursed in the ordinary payments for the year.

Bridge Trust.

By an Act of 6 Geo. 4th (amended by 11 Geo. 4th) for rebuilding Kingston Bridge, it is recited that the bailiffs and freemen "have, time out of mind, had the custody of the bridge, and were seised of lands and tenements for the maintenance and reparation thereof." By this Act the corporation were empowered to pull down the old bridge, and to build a new one.

The new bridge was built at a total expense of 40,000 *l.*, which sum was advanced by the Commissioners for issuing Exchequer Bills, at three and a half per cent.

The tolls (which are let yearly) by open bidding, are now let for 2,205*l.* The rent of the bridge estate is 100 *l.* per annum. Of this sum about 150*l.* is laid out in necessary expenses, and the residue is applied in discharge of the interest and principal of the debt. The latter is now 39,500 *l.*

7. REVENUES.

The following is an Abstract of the average ordinary Revenues and Disbursements of the Corporation.

CHAMBER RENTAL:	£.	s.	d.	SALARIES:	£.	s.	d.
Land and house - - - -	212	12	-	Bailiffs - - - - -	173	10	-
Towing-path and aytes -	207	-	-	High steward, (sugar loaves)	9	-	-
Bridge-wharf - - - - -	12	13	4	Recorder - (and ditto) -	35	11	-
Fee-farm rents - - - - -	33	14	10	Steward of the Court, ditto -	11	7	-
Tolerations (average of 8 years) -	52	-	-	Collectors - - - - -	30	-	-
				Hall-keeper - - - - -	25	-	-
				Mace-bearers - - - - -	5	-	-
				Gaoler - - - - -	10	-	-
COLLECTOR'S BOOK:				GENERAL PAYMENTS:			
Tolls of markets and fairs - -	150	-	-	Repairs - - - - -	80	-	-
Quit-rent roll - - - - -	32	-	-	Town-clerk's bill - - - -	80	-	-
				Bridge account - - - - -	42	11	-
TOWN-CLERK'S ACCOUNTS:				Fee-farm and quit-rent -	9	9	8
Fines, &c. - - - - -	10	-	-	Rates and taxes - - - -	60	13	6
Bailiffs' fees on judgments -	8	-	-	Insurance - - - - -	11	3	6
Corporation seal - - - - -	1	10	-	Pipe-office (sugar loaves)	4	3	-
				Police at fairs - - - -	5	5	-
				Charities - - - - -	11	-	-
				Interest on debt - - - -	64	10	-
				Incidental expenses - -	51	6	6
	£.	719	10 2		£.	719	10 2

The Accounts.

The Accounts are kept in three different books.

The account of chamber rental, and payments thereout, is kept by the chamberlains. Upon this account there is an arrear of nearly 300*l.* Large arrears are due on account of the fee-farm rents, some of which have not been collected for 20 or 30 years; but of late the whole rental has been collected with greater regularity.

The account of tolls and quit-rents, and certain payments made therefrom, are kept by the collector. The estreats, fines, &c. are received by the town-clerk, and set off in his annual bill. He also receives the bailiffs' fees, &c., which he pays over to the bailiffs at once.

The accounts are audited by the court of assembly, but are not published.

1°. Property of the
Corporation;
Lands, &c.

The Lands of the corporation consist of small closes, which are fairly let for 137*l.* 12*s.* per annum.

The house is let for 75 *l.* a year, on condition of the tenant's receiving and accommodating the judges of assize.

Towing-path, &c.

The Towing-path was let in 1820 to the corporation of London for 21 years, at 175 *l.* a year. An agreement has since been made for a further term of 21 years, to commence in 1841, at 120 *l.* a year.

The Aytes are islands in the river, and are let for 32 *l.* per annum.

Bridge Wharf.

The Bridge Wharf belongs one-third to the corporation and two-thirds to Kingston-bridge. It is let for 38 *l.* a year.

Fee-farm Rents.
Tolerations.

The Fee-farm Rents are ancient rents belonging to the corporation. The Tolerations have been already described.

Tolls.

The corporation are entitled to Toll of corn; but the corn being now sold by sample, the toll has been lost.

The

The present tolls are tolls of cattle, pigs, and all commodities sold in Saturday's market. The Wednesday's market is discontinued. The three charter fairs are still held; but the only fair of importance is the cattle fair, held in November.

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The Quit-rents are the ancient rents paid by the free-tenants of the manor. They amount altogether to 42 *l.* 18*s.* 5 $\frac{1}{2}$ *d.*; but 32 *l.* is the average amount collected. Quit-rents.

The Fines at present collected (since the passing of the Fine and Recovery Act) are the amerciaments on offenders throughout the hundreds of Kingston and Elmbridge. The amount is very uncertain. Fines, &c.

The remaining items have been already described.

The chief items of Disbursement have been already described.

2°. Disbursements.

The average amount of Repairs can scarcely be stated. The sum of 80 *l.* is rather guessed at, than adopted for calculation. Repairs.

The corporation have for centuries past paid one-fifth of the aytes and towing-path, now amounting to 41 *l.*, to the Bridge Account; and 1 *l.* 11 *s.* is charged upon other lands of the corporation, and payable to the same account. Bridge Account.

The Fee-farm Rent has been alienated by the Crown, and is now paid to the alienee. The fee-farm rent was reduced by 33 Henry 8th, (*see above*, "CHARTERS,") to 15 *l.* 7*s.* 2*d.*; the sum actually paid is 8 *l.* 14*s.* 4*d.* No account exists of the time or manner of its reduction to the present amount. Fee-farm Rent.

The sum of 15 *s.* 4*d.* is a quit-rent payable by the corporation.

Two sums of 5 *l.* and 6 *l.* are charged on certain lands of the corporation, and are respectively payable by them to Smith's and King Charles's charities. (*See* "PATRONAGE.") Charities.

The towing-path and other lands of the corporation were mortgaged last year for a sum of 1,100 *l.* at four-and-a-half per cent; and a further sum of 300 *l.* is secured upon the tolls. The whole interest is 64 *l.* 10*s.* Debt.

Of the sum of 1,100 *l.*, 400 *l.* was expended in purchasing certain tenements in Heathen-street, which have been pulled down for the improvement of the road.

£. 100 was subscribed towards the repair of the grammar school; and 600 *l.* was laid out in the purchase of 700 *l.* three per cent. stock, which the corporation hold as trustees for Tiffin's, Belitha's and Smith's charities. (*See* "PATRONAGE.") The principal sums were formerly applied to some corporate purpose, and the annuities discharged from the general fund. By the purchase in question the charity fund has been restored.

The money secured upon the tolls was borrowed in 1826, to make up a sum for improving the market.

A debt of 428 *l.* 8*s.* 2*d.* has long been owing to the town-clerk; and about 120 *l.* is still unpaid on account of the last year's expenses.

It appears that the corporation have from time to time sold their fee-farm rents and portions of their waste and other land, for the purpose of meeting extraordinary expenses. Alienations.

The following is an account of Alienations which have been made during the present century:—

	SOLD FOR.
	£. s. d.
1812-13 :—Two allotments awarded to the corporation under the Kingston and Imworth Inclosure Act - - - - -	2,027 - -
1819 :—The Bowling-green - - - - -	735 - -
Moiety of an estate escheated to the corporation, as lords of the manor - - - - -	983 16 -
1820 :—Two fee-farm rents of 1 <i>l.</i> 1 <i>s.</i> each - - - - -	54 12 -
1823 :—Two acres of land - - - - -	200 - -
Garden ground (formerly waste) - - - - -	200 - -
1827 :—Fee-farm rent of 16 <i>s.</i> 6 <i>d.</i> - - - - -	24 - -
Old Stockhouse - - - - -	1,050 - -
1829-30 :—Pieces of waste - - - - -	87 - -
1832 :—Fee-farm rent of 7 <i>s.</i> 6 <i>d.</i> - - - - -	11 5 -
TOTAL - - - - £.	5,372 13 -

Of the monies received, 3,800 *l.* 8*s.* was applied towards the erection of two county courts of assize; 1,000 *l.* in the erection of the debtor's gaol; and the balance of 572 *l.* 3*s.* to the general purposes of the chamber.

Notwithstanding the alienations of property, it appears that the total income of the corporation has never been so large as now. This is owing to the great increase in value of the tolls and towing-path, which has been decupled during the last ten years.

Queen Elizabeth, by a charter, dated 1st March, in the first year of her reign, and a second charter, dated 17th May, in the 6th year of her reign, founded "The Free Grammar School of Queen Elizabeth," at Kingston, and granted divers lands, tenements and rents to the bailiffs and burgesses, towards the maintenance thereof. 8. PATRONAGE. Grammar School.

The revenues of the school are somewhat less than 100 *l.* per annum.

KINGSTON-
UPON-THAMES.

The master is appointed by the bailiffs, with the advice of the bishop of Winchester. The scholars are sons of freemen of the corporation and town, who pay 3*l.* upon entrance, and 15*s.* per quarter, and are instructed in Greek, Latin, English and accounts. The school has ceased to flourish for many years.

Tiffin's Charity.

Tiffin's Charity is a school for 30 poor boys, to be selected by the bailiffs and town-clerk. The annual income is 66*l.* 7*s.* 6*d.*

The selection of the boys is left to the treasurers; and the master is appointed by the court of assembly, on their recommendation.

Brown's Charity.

Brown's Charity is a school for 28 poor girls, to be chosen by the bailiffs and freemen. The annual income is 90*l.*

The selection is left to the treasurers. The schoolmistress is appointed by the court of assembly.

Belitha's Charity.

Belitha's Charity is a school for 20 poor girls, to be chosen by the bailiffs and freemen. The annual income is 15*l.*

The selection is left to the treasurers, and the schoolmistress for Brown's school is also appointed to this charity.

Cleave's Alms-
house.

Cleave's Almshouse: Six poor men and six poor women, to be chosen by the bailiffs and freemen. The annual income is 490*l.*

The almspeople are elected by the court of assembly.

Smith's Charity.

Smith's Charity: A sum of money now producing 106*l.* per annum, was left to the bailiffs and freemen, "for the relief, maintenance and setting to work of the poor people of Kingston, and for the education and bringing them up in some good and Christian course and trade, or in relieving the poor according to their necessities."

A boy is occasionally apprenticed from this fund; but the principal sum is yearly distributed by the bailiffs in 600 or 700 cloth tickets, given to as many poor people of the town.

These tickets which are orders for three ells of linen at 1*s.* an ell, are addressed in equal proportions to six drapers of the town, of whom two only are members of the corporation.

Norton's Charity.

Norton's Charity is a rent-charge of 20*s.* and is distributed by the bailiffs amongst 20 poor widows on St. Thomas's-day.

Dolling's Charity.

Dolling's Charity is a yearly sum of 7*l.* 11*s.* 6*d.*, and is distributed by the bailiffs in shares amongst the poor old widows of the parish.

King Charles's
Charity.

King Charles's Charity is an annuity of 5*l.* laid out by the bailiffs in the same manner as the last.

Hartop's Charity.

Hartop's Charity is an annuity of 6*l.* which the bailiffs permit the churchwardens to distribute amongst the poor in bread.

Price's Charity.

Price's Charity is an annuity of 20*s.* distributed by the bailiffs in money, amongst 20 poor widows and men on St. Thomas's-day.

Buckland's Charity.

Buckland's Charity: The rent of a wharf and allotment, amounting to 30*l.* a year, is applied by the bailiffs in the purchase of coal in the summer season, which is retailed in the winter to the poor of Kingston, at 1*s.* a bushel.

Snelling's Charity.

Snelling's Charity consists of the rent of lands and tenements amounting to 83*l.* per annum. Of this 12*l.* is distributed by the bailiffs amongst the poor, in bread and money, on the first Sunday in every month, and the residue is given away in coals.

Nicholl's Charity.

Nicholl's Charity: The rent of land and dividends of stock, amounting to 29*l.*; to be applied by the recorder, high steward, bailiffs and vicar, in the same manner as Buckland's Charity.

The distribution is left to the vicar.

Hurst's Charity.

Hurst's Charity, is a rent-charge of 6*l.* per annum. This sum is distributed by the bailiffs in monthly allowances of bread and sixpences, to ten poor widows.

9. STATE OF THE
TOWN.
Pop. Ret. 1831.

The square contents of the parish of Kingston (including Ham and Hook) is 7,300 acres.

The population of the parish (excluding and including the Ham and Hook) was, in

	Years.			Excluding Ham and Hook.				Including Ham and Hook.
	1801	-	-	-	3,793	-	-	4,438
	1811	-	-	-	4,144	-	-	4,999
	1821	-	-	-	4,908	-	-	6,091
Ibid.	1831	-	-	-	5,989	-	-	7,257

Ibid.

The annual value of real property was, in 1815, 18,853*l.* excluding, and 24,206*l.* including Ham and Hook.

The parochial assessment for years ending 25th March, was,

KINGSTON-
UPON-THAMES.

Years.	Excluding Ham and Hook.			Including Ham and Hook.		
	£.	s.	d.	£.	s.	d.
1825 - - -	2,020	5	-	-	-	-
1829 - - -	2,481	9	-	-	-	*
1832 - - -	3,618	-	-	4,498	-	-

* Parl. Pap.
1830. 83.

The trade of the town consists chiefly in malting, and the importation of coals for the supply of the neighbouring district. The town, with respect to trade, is described as stationary; but the number of houses for the inhabitation of persons of small independent incomes is gradually increasing. The principal part of the working population of the town is employed in the malt and coal trade; the rest are chiefly engaged in agriculture.

The town not being represented in Parliament, the corporation is not divided into political parties. It is composed of persons of opposite political opinions, and some of its members are dissenters from the Established Church. 10. GENERAL REMARKS.

The members of the corporation, in their various capacities of fifteens, leet jurymen and magistrates, appoint all the local officers of the town. It appears that many persons have been elected into the body of fifteens who were either new-comers in the town or young in point of age, and had served none of the troublesome offices of overseer, surveyor, churchwarden, high constable, or the like; whereas many persons of greater age and longer resident in the town have been passed over, although they had been appointed to and had served one or more of those offices. It appears that some of the persons elected into the corporation had never been free tenants of the manor, and that others had departed with their tenements before their election.

It has been seen that the town magistrates are the two bailiffs and their two immediate predecessors. It appears from the list of the members of the corporation that these officers must be frequently chosen from amongst the retail tradesmen of the town. It is said that such persons are too dependent upon the favour of their customers and the good will of the townspeople to act with proper energy and impartiality. Instances were adduced in proof of this statement; and it appears that the more important business of the town is, when possible, transacted before the county magistrates.

The corporation, as a body, is extremely inactive; and with extensive jurisdiction, numerous officers, and a considerable revenue, is rather harmless than useful to the town.

The following Documents accompany this Report:

11. DOCUMENTS.

- (A.) Description of the Boundaries of the Manor of Kingston-upon-Thames.
- (B.) Table of Fees of Clerk of the Peace.
- (C.) Ditto, at Petty Sessions.
- (D.) Fees of Court of Record.
- (E.) Tolls of Markets and Fairs.
- (F.) List of Members of the Corporation.
- (G.) An Act for inclosing Lands in the several Manors of Kingston-upon-Thames and Imworth, otherwise Imbercourt, in the County of Surrey; and for selling part of such Lands for the purpose of providing a Court-house and Market-house for the said Town. [48 Geo. 3, Sess. 1808.] Local Acts.
- (H.) An Act for the better lighting and watching the Town of Kingston-upon-Thames, in the County of Surrey, and for removing and preventing all Obstructions, Encroachments, and Nuisances therein. [8 Geo. 3, Sess. 1768.]
- (I.) An Act for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto. [6 Geo. 4, Sess. 1825.]
- (K.) An Act for amending and extending the provisions of an Act passed in the sixth year of the Reign of his present Majesty, for the rebuilding of Kingston Bridge, and for improving and making suitable Approaches thereto. [11 Geo. 4, Sess. 1830.]
- (L.) Copy Charter of Charles 1st.

15 January 1834.

C. Austin.

R E P O R T

ON

THE CORPORATION OF MAIDENHEAD.

(BERKSHIRE.)

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CORPORATION OF MAIDENHEAD.

THE Limits of the town of Maidenhead, or Maidenheth, extend over part of the parishes of Bray and Cookham, in the county of Berks. The line of circumference is about eight miles in extent. The boundary is described in the governing charter, and is well ascertained by occasional perambulations. The population of the town consists of about 2,500 persons. **Limits.**

The corporation of Maidenhead do not claim any privileges by prescription; the earliest existing Charter relating to the place, the 30th Henry VI., (1451) recognized a chantry, originally established by Margaret of France, second Queen of Edward I., and confirmed by Richard II.; it also established a guild or fraternity by the name of the "Overseers, Wardens, Brethren and Sisters of the Fraternity or Guild of St. Andrew and St. Mary Magdalen of Maidenhyth." The objects of this incorporation are stated in the charter of Henry VI. to be "the finding of wax lights, and other necessary divine articles for the daily celebration of masses, for ever," and the maintenance and reparation of the bridge across the Thames. As a provision for the expenses of the repairs of the bridge, certain tolls were granted upon all merchandize passing over or under the bridge. This chantry was dissolved by Henry VIII., and under the provisions of the statute 1 Edward VI. c. 14, its revenues, which were inconsiderable, were taken by the Crown. The charter of Henry VI. with the religious corporation thereby granted, was revived and confirmed by an Inspeximus charter of Elizabeth, granted in the 20th year of her reign (1578); but in the 24th year of the reign of the same Queen (1581) a charter was granted, which after reciting that the chantry had been lately dissolved, constituted Maidenhead a free town, and substituted for the religious "Fraternity or Guild" a lay corporation by the name of the "Warden, Bridgemasters, Burgesses and Commonalty of the Town of Maidenhyth." Charters corresponding in all material respects with the 24th of Elizabeth, were granted to the town in the 2d year of the reign of James I. (1604), and in the 15th of Charles II. (1663), and in the 1st year of the reign of James II. (1685), the present governing charter was granted, which continues the same form of municipal government, and only varies from the last preceding charter, by reserving to the Crown the power of removing corporate officers by an order in council. **Charters.**

The documents relating to the constitution and history of the corporation are in excellent order; the charters having been translated and arranged, and an extensive search having been made at the expense of the corporation in 1824.

The title of the corporation under the governing charter is "The Mayor, Bridgemasters and Burgesses of the Town of Maidenheth, in the County of Berks." **Title.**

The corporate body consists of a Mayor, two Bridgemasters, and eleven Burgesses, of whom the mayor and bridgemasters are three. The number of burgesses is the same in all the charters since the 24th of Elizabeth. **Corporate Body.**

The Mayor is annually elected on Wednesday next before Michaelmas-day by the mayor, bridgemasters and burgesses, or the major part of them, from themselves, and is sworn into his office within one month afterwards, before his immediate predecessor and the rest of the corporate body. **Election of Constituent Members of the Corporation.**

The Bridgemasters are annually elected on Wednesday next after Easter by the same body, from themselves, and in the same manner as the mayor. **Mayor; how elected.**

The Burgesses are elected within 15 days after the occurrence of vacancies, by the mayor, bridgemasters and burgesses, or the major part of them, from the inhabitants of the town. The burgesses have no specific functions or privileges separately from the rest of the corporate body; they are, however, always summoned on public occasions to consult with the mayor and bridgemasters; they are also summoned to assist in the court of record, and some of them usually attend there. **Bridgemasters; how elected.**

The Mayor, Bridgemasters and Burgesses constitute the ruling body of the corporation for all purposes of municipal government. They have authority by their charters to make bye-laws for the government of themselves and the other inhabitants, at an assembly of the whole body or the major part of them, at which the mayor and one of the bridgemasters must be present. **Burgesses; how elected.**

The members of the corporate body have no peculiar privileges, excepting an immunity from serving on juries out of the town, which is expressly granted by the charter. A similar immunity is also claimed by custom for all the inhabitants of the town, and has been invariably allowed. **Ruling Body.**

By an express limitation in the governing charter, all the above members of the corporate body are empowered to exercise their respective offices so long only "as they shall inhabit within the town." This requisition is always attended to in practice. **Their authority to make Bye-Laws.**

MAIDENHEAD.

The Officers of the corporation under the governing charter consist of,—

Officers.

A High Steward,
A Mayor,
2 Bridgemasters,
A Steward and Town Clerk,
A Serjeant-at-Mace,
2 Constables, and
2 Tythingmen.

Besides these, a Treasurer of Maidenhead Bridge is appointed under an Act of Parliament, and it has been for many years usual to elect a Recorder, but neither of these officers are named in the charters.

High Steward;
how elected.

Though the High Steward is not mentioned in any of the charters previous to the 1st of James II., it is quite clear from the corporation records, that the office existed long antecedently to the date of that charter. Indeed Sir Robert Sawyer, who was afterwards attorney-general to Charles II. and James II., and is named as the first high steward by the governing charter, had been previously elected by the corporation in 1677. This officer is required by the charter to be "a distinguished man" (*vir honorabilis*), but no directions are given as to the manner of electing him, or the duration of his office. The uniform usage has been to elect him upon vacancies by the mayor, bridgemasters and burgesses, or the major part of them, and the office is considered to be holden for life. He is not expressly required to reside within the town, and from the appointment of Sir Robert Sawyer by the governing charter, it may be inferred that this officer was not intended to be permanently resident at Maidenhead.

Functions.

The high steward is by virtue of his office a justice of the peace within the town, and as such is entitled to preside as one of the judges at the quarter sessions. He receives no salary or emoluments.

The present high steward is a magistrate of the county of Berks, and resides in the neighbourhood of Maidenhead; he is an active and useful member of the corporation, and attends at the quarter sessions, and at almost all corporate meetings.

Mayor's Functions.

The election of the Mayor has been already described in the account of the constituent parts of the corporate body. He is a justice of the peace within the town, and presides at the court of quarter sessions and in the court of record. He continues to act as a justice of the peace for one whole year after the expiration of his mayoralty. The mayor for the time being is also clerk of the market, coroner and escheator within the town.

He has now no salary or emoluments. By an order made in 1803, the sum of 50*l.* was allowed from the corporation funds for the mayor's feast; but in 1815, this allowance was discontinued, and it has never been paid since.

Bridgemasters.

The election of Bridgemasters has also been described in the account of the corporate body. In former times, the principal and peculiar duty of these officers was to superintend the bridge (which always belonged to the corporation), to receive the tolls, and apply the monies received in the necessary repairs. The property in the present bridge is given to the corporation by an Act of Parliament passed in 1772; and under the provisions of that Act a treasurer for the bridge is now appointed by the corporation, whose appointment and functions will be presently described, and upon whom a portion of the ancient duties of the bridgemasters devolves. By one of a series of bye-laws, dated the 24th of Sept. 1829, and drawn up by a committee of the corporation composed of the high steward and four other members, separate and distinct functions are assigned to each of the bridgemasters. It is ordained by that bye-law, that "it shall be the peculiar duty of the Senior Bridgester to undertake the care and superintendence of the bridge, and all accounts connected therewith; that he shall call upon the treasurer to produce his accounts for examination twice in every year, or oftener if the mayor and bridge-masters shall require, upon reasonable notice being given by the said bridge-masters; that he shall from time to time examine the state and condition of the bridge and Guildhall, and give such direction as he shall think fit for the repair of the same and the road over the said bridge; and that upon any repairs being considered necessary, the estimate whereof shall exceed the sum of 5*l.*, he shall communicate with the mayor, who shall thereupon call the burgesses together in order to submit the matter of such repairs to the corporation at large. That the said senior bridgester shall also receive the rents of the corporation estates, and shall pay and appropriate the same under and according to the orders and directions of the mayor, bridgemasters and burgesses, to be entered in one of the books of the said corporation; that an annual audit shall be held by the said bridgemasters for receiving the said rents, of which the clerk shall give 14 days previous notice to the tenants; that the said senior bridgester within one month after the expiration of his year of office, shall deliver in to the said mayor, bridgemasters and burgesses in open court, a full true and particular statement and account of all his receipts and disbursements supported by proper vouchers and shall pay over the balance then remaining in his hands (if any) to the new bridgemasters, which accounts shall be annually entered by the clerk in a book to be kept for that purpose."

Duties of Senior
Bridgester.

The

The Bridgemasters for the time being have been from time immemorial Chapel Wardens of the chapel of St. Andrew and St. Mary Magdalene, in the town of Maidenhead; the conjunction of the two offices of bridgemaster and chapel warden, which is also to be found at Henley-upon-Thames and elsewhere under the same circumstances, is no doubt to be traced to the double character of the corporation in ancient times as a religious and lay institution, expressly charged with the duty of maintaining both the chapel and the bridge.

MAIDENHEAD.
Bridgemasters
also Chapel
Wardens.

In the year 1824, an Act of Parliament, authorizing the removal of the chapel to another site, continued the property in the new chapel and its site to the corporation; and in 1829 the peculiar superintendence of the affairs of the chapel was given by another of the bye-laws above-mentioned to the Junior Bridgemaster. He is to receive the pew rents, and to make the necessary disbursements for the use of the chapel, investing the surplus (if any) under the direction of the corporation, as an accumulating fund to meet future repairs and contingencies. The junior bridgemaster is required within one month after the expiration of his year of office to deliver in to the corporation "in open court" a particular statement of all his receipts and disbursements, and to pay over the balance in his hands to the new bridgemasters.

Duties of the
Junior Bridge-
master.

The bridgemasters are by the governing charter judges in the court of record, and one of them must be present in order to form the court. It will appear from the above statement, that the duties performed by these officers are laborious and responsible.

They receive a nominal salary of 40 s. a year between them, and have no other emoluments.

The mayor, bridgemasters and burgesses, or the major part of them, according to the Act of Parliament, appoint the Treasurer of the bridge by writing under the common seal. The duration of his office is not specified in the appointment, but it would probably be considered to be held during good behaviour. The present treasurer is the steward or recorder, who received his appointment before the date of the bye-laws of 1829, and when it was not usual to give security; but by one of those bye-laws, future treasurers are required to enter into a bond with two sufficient sureties in the penal sum of 500*l.* conditioned for the due execution of their office, and the proper application of all monies which may come to their hands. The treasurer is required to produce his accounts to the mayor, bridgemasters and burgesses at the second court day after Lady-day and Michaelmas respectively, and also to exhibit them at any time to the senior bridgemaster when required so to do.

Treasurer of the
Bridge.

He receives no salary or emoluments.

The Recorder, as above stated, is not (*eo nomine*, at least) a chartered officer, and there is no evidence in the corporation documents to show any legal authority for the appointment of such an officer. In modern practice the recorder is considered only as another name for the steward, and as the governing charter mentions "a steward *and* town clerk," it has been supposed to warrant the appointment of two officers; but there appears to be strong reason against this construction of the charter; and as the subject is in one point of view important, I shall advert to it more particularly hereafter.

Recorder, or
Steward.

The Steward or Recorder is elected by the mayor, bridgemasters and burgesses, or a majority of them, and is considered to hold his office for life.

His Election.

He is a justice of the peace by virtue of his office, and usually but not invariably presides as chairman at the quarter sessions. By the words of the governing charter it is declared that the sessions of the peace for the town are to be holden before the justices or any two of them (of whom the steward of the town for the time being must be one). In point of fact the sessions have been occasionally holden and prisoners have been tried in the absence of the steward, but in those instances the high steward has presided, and it has been supposed that his presence satisfies the requisition of the charter. The regularity of this mode of proceeding seems extremely doubtful; for as the high steward and the steward are both expressly named as justices in the charter, a distinction is obviously made between the two officers; and as the latter is specifically named in the quorum clause, it cannot be said that the words of the charter are complied with by the presence of the high steward alone.

Functions of
Steward, or
Recorder.

The recorder or steward receives a salary of 3*l.* 6*s.* 8*d.* per annum.

The present steward formerly practised as a conveyancer, but is not called to the bar. He has for some years retired from business.

The Town Clerk is elected in the same manner as the recorder or steward, and holds his office during the pleasure of the corporation.

Town Clerk
how elected.

He acts as clerk of the peace in the town, keeps the records of the several courts, issues the process, and enters the minutes of the corporation proceedings. The ordinary business arising out of the chapel and bridge and the other property of the corporation is considerable, and occupies much time and attention.

Functions.

The town clerk has an annual salary of 45*l.* for his services; he is also entitled to fees at sessions and in the court of record, and he receives a fee of one guinea upon each inquest holden by the mayor as coroner. He derives the usual professional remuneration for business done by him; but it is expressly stipulated upon his appointment that he is not necessarily to be employed in law-suits brought by or against the corporation.

Usage of the
Corporation re-
specting the
severance of the
Offices of Steward
and Town Clerk.

The question respecting the legality of appointing two officers as Recorder or Steward and Town Clerk, is important with reference to the constitution of the court of quarter sessions. By the charter, the steward of the town for the time being must always be present to form the

MAIDENHEAD.

court: but the modern practice of the corporation in appointing two officers, renders it doubtful whether the recorder or the town clerk is the steward designated by the governing charter; and, consequently, whether the proceedings at many of the local sessions, when one only of these officers has been present, have not been irregular. For this reason, I thought it right to make particular inquiry into the usage respecting these offices from the date of the charter. It appears to have been clearly the intention of the charter, that the steward and town clerk should be the same person: it states in terms that "there shall be *one* honest and discreet man within the town, who shall be and be called the Steward of the same town." It then appoints Thomas Staples, esq. "to be the first and present steward and town clerk of the said town." Whether Staples was a barrister or an attorney, does not appear; but he continued to hold his office until his death in 1707, and there is evidence to show that during that period, he fulfilled the duties usually discharged by town clerks. His immediate successor was John Whitfield, a practising attorney, and in the statement of his election he is said, as the entry originally stood, to have been chosen steward *and town clerk* for the corporation in the place of Staples. It is remarkable that in this entry the words "and town clerk" are struck through with a pen. Whether this was done at the time the entry was made, or by any person who, at a subsequent period, might have an interest in falsifying it, cannot now be ascertained. Whitfield held his office until 1727; and there is evidence that he also discharged the ordinary functions of a town clerk. There is also an entry in the corporation books during Whitfield's time, stating that upon the election of a high steward in 1711, the corporation directed that "the steward *and town clerk* do certify his election to him." This expression is, however, equivocal, and may in grammatical construction, mean either one officer or more than one. On the other hand, there are some entries on the corporation books relating to the periods while Staples and Whitfield were respectively stewards, which seem to show that at least some of the duties of the town clerk were performed by a different officer from the steward. For instance, in July 1685, only a month after the date of the charter, Mr. George Russell was sworn "deputy town clerk," though the charter does not authorize the appointment of such an officer; and in July 1723, when Whitfield was steward, the same George Russell, after having been dismissed, is stated to have been restored to his "office or place of town clerk of this corporation."—From the death of Whitfield in 1727 until 1764, several stewards are successively entered as elected, and no mention is made of a town clerk; but on the 25th of October 1764, there is an entry of the election of a high steward, and a memorandum that "at the same court Mr. James Payn entered upon his office of town clerk." At this time it appears from other entries that Robert Vansittart, esq., was the steward, and it is therefore clear that the two offices were then holden by two persons. The steward was also about the same time first called recorder, and wholly ceased to perform the ordinary duties of town clerks. This severance of the two offices has continued to the present day; and in the exercise of their criminal jurisdiction, is productive of no small inconvenience to the corporation.

Serjeants at Mace.

By the charter one or two Serjeants at Mace may be appointed; it has been usual to appoint only one. He is elected by the mayor, bridgemasters and burgesses, or the greater part of them, and holds his situation during their pleasure.

Duties of
Serjeant at Mace.

His duties are to execute all kinds of process, and to attend upon the corporation at all their meetings and upon public occasions. He has also the custody of the gaol, for which he receives a salary of three guineas a year from the county. His salary from the corporation is 20 l. a year, and he is entitled to some small fees in the court of record; in addition to which, he resides in a house belonging to the corporation at a nominal rent, and has a livery.

Two Constables and
Two Tythingmen.

The Constables and Tythingmen are appointed annually by the corporation; each of them receives a salary of 4 l. per annum, and occasionally a suit of clothes.

Fines on refusing
Office.

By the series of bye-laws above referred to, made in 1829, the following Fines for refusing Offices are imposed:—1st, a fine of 50 l. upon a burgess refusing to serve the office of mayor; 2d, a fine of 10 l. upon burgesses refusing to serve as bridgemasters; and 3dly, a fine of 20 l. upon inhabitants duly elected, and refusing to serve as burgesses. The authority for these fines has sometimes been questioned, but in practice they have been often inflicted and paid.

Freemen.

No Freemen have been admitted since the year 1794, excepting those who have been compelled to take up their freedom in order to serve corporate offices. There are evident traces of the existence of an exclusive privilege of trading within the town in former times, but this privilege has been long since abolished.

Fees or Fines on
Admission.

No Fees or Fines are paid upon admission to corporate offices; when inhabitants of the town are elected burgesses, it becomes necessary for them to take up their freedom, but in these cases no fine is paid, and the expense of the stamp is defrayed out of the corporation funds.

Courts.

The Courts granted by the governing charter to the town of Maidenhead are the Quarter Sessions, a Court of Record, a Court of the Clerk of the Market, and a Court of Piepowder to be holden during the several fairs and markets.

Quarter Sessions.

The Quarter Sessions are regularly holden at the usual periods, according to the directions of the charter, before the justices of the peace for the town (of whom the steward must be one).

The question respecting the necessity for the presence of the steward at the quarter sessions which has more than once arisen in practice, has been already alluded to. This court has authority to try all offences which may be tried by the county justices, but is restricted from

from the determination of treason, murder or any felony inferring the loss of life or limb. The fees are the same as those at the quarter sessions for the county of Berks.

MAIDENHEAD

The number of prisoners tried at the Maidenhead quarter sessions within the last six years has been 17; of which 15 were felonies and two misdemeanors.

By the charter the Court of Record may be holden on Friday in every third week, or oftener, before the mayor and bridgemasters, or before any two of them. The jurisdiction extends to all causes of action not exceeding 20*l.* in amount; but it is expressly provided in the charter, that either the plaintiff or the defendant must be an inhabitant of the town. Court of Record.

This court had been discontinued for more than half a century until three or four years ago, when it was revived at the suggestion of some members of the corporation. Since its revival, complaints have been occasionally levied, but no case has proceeded to trial.

A Table of the Fees accompanies this Report.

A Court of the Clerk of the Market is holden at every Epiphany sessions before the mayor. The peculiar business of this court, which consists of an examination of weights and measures, and hearing complaints of extortion or overcharge in levying tolls in the markets, is now almost entirely mixed up with the general business of the sessions. Court of the Clerk of the Market.

The Court of Piepowder is wholly disused.

Piepowder

The Juries are summoned by the constables, by virtue of a precept from the town clerk. The grand juries are taken from the wealthier class of inhabitants, and the petty juries from the smaller tradesmen. Care is always taken that the same persons should not be summoned more than once in two years. Juries.

The Police of the town is undoubtedly insufficient. The serjeant at mace acts as a police messenger, and two constables and two tythingmen are appointed by the mayor upon his election. The constables are paid by the corporation 4*l.* a year each as a gratuity, if they conduct themselves satisfactorily. There is no night watch, nor are the streets at present lighted; the inconvenience arising from the latter circumstance is likely, however, soon to be removed, as a negotiation is now pending with the corporation for lighting the town with gas. It is obvious, that for a town situated as Maidenhead is, on the main western road to Bath and Bristol, and subject to the constant passage of wandering strangers, a more efficient and systematic police is highly expedient. Police.

The magistrates of the town have an express authority under the charter to commit prisoners to the County Gaol, and this course is usually adopted in cases which are not to be tried at the town sessions. Prisoners in execution of criminal sentences are also sent to the County Gaol. There is a Gaol and Cell within the town, both of which are used as places of temporary confinement only. The Town Gaol is used for county prisoners as well as for those committed by the corporate magistrates. It is kept by the serjeant at mace, who acts as gaoler under the superintendence of the mayor. Gaol.

The Property of the corporation consists of the tolls of the bridge over the Thames, and a small piece of land adjacent to it, several houses in the town, the town hall, and a public house under it, a small fishery at the bridge, and the tolls of the several fairs and markets. By the Act passed in 1824, "for taking down, rebuilding and enlarging Maidenhead Chapel," the site upon which the new chapel stands is vested in the corporation for ecclesiastical purposes. In a pecuniary point of view, however, the chapel is not a valuable property to the corporation; for the pew rents are only sufficient to pay an additional stipend to the chaplain, according to an arrangement made with him on the completion of the chapel, the salaries of the organist and clerk, and the current expenses, leaving a small accumulating fund for occasional repairs of the building. Property and Income.

The houses in the town are let at rack-rents, producing in the whole rather less than 200*l.* per annum. Some of them have, however, been newly built; by which means a debt of 2,000*l.* has been incurred.

The market tolls and fishery do not produce 10*l.* per annum.

The Tolls of the Bridge were granted to the corporation of Maidenhead in very early times, and were confirmed to them specifically by several successive charters. In consideration of this grant, they were bound to maintain and repair the bridge. In the year 1772, it became necessary to remove the ancient timber bridge on account of its age and insecurity; but as the funds of the corporation, and the scale of tolls established by the charters, were insufficient to meet the expense of erecting a new bridge, an Act of Parliament was passed for the purpose of enabling the corporation "to build a proper and convenient bridge, and to defray the expense thereof, and of keeping the same in repair for ever." By this Act the property of the bridge is absolutely vested in the corporation, the old tolls are abolished, and a new scale of tolls is imposed which the corporation are empowered to levy. These tolls have been considerably reduced since the completion of the bridge. Upon an average of the last seven years, they have produced about 1,200*l.* per annum. Tolls of the Bridge.

The tolls of the bridge are mortgaged to secure a Debt of 17,500*l.* incurred immediately after the passing of the Act of Parliament by the building of the bridge. The interest upon that debt amounts to 765*l.* per annum, thus leaving upon this account a net income of 435*l.* part of which is applied to the repairs of the bridge, and the residue is carried to the general fund of the corporation. Debt on the Bridge.

MAIDENHEAD.

The following statement of the Income and Expenditure of the corporation is taken upon an average of the last seven years:—

INCOME.		£.	s.	d.
Produce of the bridge tolls, on an average of the last seven years		1,187	17	6
Deduct,				
One year's interest, payable to the several mortgagees of the tolls	£.765 - -			
Stamps and postages on remittance thereof	- 2 10 -			
Estimated expenses of the repair and maintenance of the bridge, on an average of the last seven years	- 37 2 10			
		804	12	10
Surplus		383	4	8

N. B.—It is to be observed, that the expenses of the last seven years do not afford a fair criterion for this estimate, the expenditure on the bridge having been conducted as sparingly as possible, in consequence of the heavy advances made by the corporation towards the new chapel, amounting altogether to about 4,000*l.*, besides the other improvements of the town; but an expense of upwards of 200*l.* is now contemplated for new paving the footways over the bridge, and other disbursements connected therewith.

Rental:

A house and premises, in the occupation of James Smith, esq.	- -	50	-	-
Ditto - - late in the occupation of Mr. Charles Cooper	- -	45	-	-
Ditto - - in the occupation of Samuel Naylor, esq.	- -	45	-	-
A small close of meadow land, in the occupation of Messrs. Smith & Naylor		8	-	-
Chapelwardens, for ground-rent	- -	12	-	-
Tenement in the occupation of James Ayres	- -	12	12	-
Ditto - - ditto - - Henry Miller	- -	14	14	-
Public-house under the Town-hall	- -	12	-	-
Tolls of fairs and markets, let at	- -	6	6	-
A small piece of land, in the occupation of John Piggott	- -	2	2	-
A small fishery in the River Thames	- -	1	1	-
		£.	591	19 8

EXPENDITURE.

	£.	s.	d.
Recorder's salary	2	16	8
Town-clerk's ditto	45	-	-
Land-tax	1	4	-
Insurance	6	18	-
Rent of fire-engine house	3	3	-
Superintendence of fire-engine	3	3	-
The Bridgemasters, for serving the office	2	-	-
Annual allowance for keeping the town-clocks in repair	4	4	-
Town-serjeant's salary	12	-	-
Ditto - - bills for firing, candles, stationery and other incidents, and for diet of prisoners in the town-gaol, &c.	21	-	-
For various other municipal expenses, such as interest on 2,000 <i>l.</i> borrowed for building new houses, allowances to constables, liveries for town-serjeant and constables, repairs of the Guildhall, bill for extra business performed by the town-clerk, &c. admission stamps for burghesses, and various public improvements, &c.	180	11	-
For charitable purposes, about	10	-	-
For Maidenhead Chapel, comprising various expenses relative to the completion of the building, the consecration thereof, lighting and warming the same, salaries and allowances to clerk, pew-opener, and various incidental expenses	300	-	-
	£.	591	19 8

N. B.—As the above chapel expenses are calculated on an average of seven years, which comprised many disbursements connected with the original establishment of the chapel, the outlay in future will be very much reduced, as it will be confined to the expenses of conservation, with occasional repairs, &c.

It will be seen upon a perusal of these accounts, that no part of the funds of the corporation are either directly or indirectly spent in entertainments. The abolition of the allowance formerly made to the mayor on this account has been already noticed; the following entry appears upon the minutes of the corporation proceedings, under the date of the 23d of Sept. 1815:

"It was agreed by the burgesses present that when any or either of them should hereafter be elected to serve the office of mayor, that they or either of them will not make a public feast."

On the 23d of Sept. 1829, the following entry occurs:

"It was proposed and seconded, that the mayor elect shall not be expected, and the motion is understood to express the wish of the corporation, that he should not invite the burgesses or any other party to the feast at the Town-hall on the day of his inauguration; which motion was adopted."

These resolutions have been faithfully adhered to; the hospitalities of the mayor are entirely optional, and on all occasions when the corporation dine together, the expenses are paid by the individual members, and not out of the corporate funds.

In explanation of those parts of the above accounts which relate to the chapel, it is proper to state, that in the year 1824 it became highly desirable to remove the site of the chapel, which had been for several centuries the property of the corporation, in order to provide more effectually for the accommodation of the inhabitants of the town in attending divine service. To effect this purpose, it was necessary to incur a very heavy expense in obtaining an Act of Parliament to authorize the removal of the chapel, in purchasing a new site, and in constructing a suitable building. A subscription was entered into among the inhabitants to meet this expense, to which subscription the corporation gave 500*l.* besides 321*l.* 10*s.* subscribed by individual members of the body. They also defrayed all the expenses of procuring the Act of Parliament, and in the whole contributed to the undertaking a sum not far short of 4,000*l.*

The corporation have always had the right of presenting the incumbent or chaplain to Maidenhead chapel, and this right is expressly reserved to them in the Act of Parliament authorizing its removal. The election of a chaplain is made by the mayor, bridgemasters and burgesses at a meeting in the Town-hall, and the appointment is signed by as many members of the corporation as happen to be present, and sealed with the common seal. The situation is at present worth 211*l.* 10*s.* per annum, in which sum is included the estimated value of a residence provided by the corporation for the chaplain. Patronage.

The only other patronage possessed by the corporation is the right of nominating nine boys to be educated under the provisions of a charitable bequest. The boys are not boarded or clothed, the benefit they derive being strictly limited to the rudiments of education.

The only Local Acts relating to the town of Maidenhead are the 12 Geo. III. c. 41. (local and public), intituled, "An Act for building a Bridge over the River Thames, near the town of Maidenhead, in the county of Berks;" and the 5 Geo. IV. c. 40. (local and public), intituled, "An Act for taking down, rebuilding and enlarging Maidenhead Chapel, in the county of Berks." Local Acts.

Copies of both these Acts of Parliament accompany this Report.

There is no particular manufacture carried on at Maidenhead, and the town is principally supported by the trade occasioned by the residence of an opulent gentry in its immediate neighbourhood. The population is increasing, and the town has been much improved in the course of the last 20 years. The management of the poor belongs to the parishes of Cookham and Bray, in which the town is situated; and the corporation of Maidenhead do not interfere in this respect. The administration of the Poor Laws in the parish of Cookham is referred to with deserved approbation in Mr. Chadwick's Report from Berkshire, in the extracts published by the Poor Law Commissioners. In that parish the rates have been reduced in the course of 12 years by means of the excellent management of a select vestry, and the constant encouragement and superintendence of the clergyman and resident magistrates, from 7*s.* 6*d.* in the pound to 1*s.* 6*d.* and are still decreasing. The poor in the parish of Bray are also well managed; but the reduction of the rates is not so remarkable as in Cookham. General Prospects

As Maidenhead has never returned Members of Parliament, the exercise of the elective franchise has not, as in many corporate towns, been a subject of contention between the inhabitants and the corporation. The disposable income of the corporate body has been liberally applied for many years past to the improvement of the town and to purposes of a public nature, the benefit of which has been more or less felt by all the inhabitants. The consequence is, that with the exception of some degree of jealousy occasioned by the principle of self-election, the corporation appears to be popular, and the individual members of it are generally

MAIDENHEAD.

generally respected. There is, however, nothing in the circumstances or prospects of the town of Maidenhead which calls for a peculiar municipal institution. The original objects of establishing a corporation there, viz. the preservation of the bridge and the chapel, may now be obtained by a less complicated machinery; and in fact, the affairs both of the bridge and the chapel are at present managed by the corporation under the control of Acts of Parliament, and not according to the directions of the charters. The small amount of business actually done in the local courts seems to show the unimportance of the corporate jurisdiction for the administration of justice, and local justices of the peace can hardly be of any material use in a population so small, surrounded by county magistrates.

David Jardine.

London, Jan. 2, 1834.

R E P O R T

ON

THE BOROUGH OF ST. ALBAN.

(HERTS.)

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BOROUGH OF ST. ALBAN.

1. LIMITS.

Limits of the Borough.

THE Limits of the Borough of St. Alban are described in two indentures of perambulations, one made in 1327, and the other on the 10th April 1635. Of these perambulations, the former was made by agreement between the Abbot Hugo and the townsmen, and is recited in the charter of Charles 1st; the latter was made under the authority of that charter, for the purpose of settling disputes. The indenture of perambulation is enrolled in Chancery, and an exemplification is preserved in the corporation chest.

A perambulation was made in 1804, and again in 1830. According to these perambulations, the boundary coincides with the old descriptions, except the part along the River Ver. In the old descriptions the line is made to run along the left bank of the river; in the modern perambulations, the boundary is the *medium filum aquæ*.

The boundary is well defined by the river and boundary posts, and is not disputed. It is correctly set forth in the map of the Boundary Commissioners; in which, however, the River Ver or Verlume is misdescribed as the Colne.

The borough contains all the parish of St. Alban, *alias* Abbey parish, and parts of the parishes of St. Peter, St. Michael and St. Stephen. The remaining parts of these parishes are in the Liberty of St. Alban.

Wards.

The borough is divided into four Wards, viz. St. Peter's, Middle, Holywell and Fishpool wards. St. Peter's ward is co-extensive with that part of St. Peter's parish which is within the borough; but none of the other three coincide with any one of the remaining parishes.

In one of the Court minute books there is an entry, dated 23d March 1719, in these words; "John Weston appointed wardman of the borough." There is no previous or subsequent entry of the same kind, and the nature of the office is unknown.

Of the four Constables for the borough, one is still elected from the inhabitants of each ward. The boundaries of the wards are described in the charter of Edward 6th, and are well known; but except in the appointment of constables, the division into wards is disused.

Parliamentary Boundary.

For the purpose of Parliamentary representation, districts have been added to the east and west of the old boundaries, containing a population of 1,000 souls.

Liberty of St. Alban.

The Liberty of St. Alban extends into 22 parishes, and includes about one-third of the county of Hertford. This Liberty is a peculiar franchise.

The borough of St. Alban is locally situate within the Liberty; but each is independent of the other; they have distinct jurisdictions and privileges, and have nothing in common but the name of the ancient abbey, of which they are disjointed members.

2. CHARTERS.

Ancient Charters.

Domesd. Lib. f. 135.

Antiq. of Herts, 2 vol. 271.

Mad. Firma Burgi. 140.

Newcome's Hist.

Abb. St. Alb. 206.

Charter of Edw. 6.

By many ancient Charters, the vill of St. Alban, with divers liberties, had been granted to the abbot and the church of St. Alban; and at so late a period as 1462, Edward the 4th confirmed and granted to the abbot all the privileges, liberties, franchises and jurisdictions, which were subsequently granted to the corporation after the suppression of the abbey.

On the 5th December 1539, the abbey was surrendered to the Crown, whereby the town was deprived of its ancient means of rule and government.

On the 12th May 1554, the first Charter was granted to the corporation by Edward 6th, in the 7th year of his reign.

Title.

The town was incorporated by the name of "The Mayor and Burgesses of the Borough of St. Alban, in the County of Hertford."

Election of Burgesses.

A common council, consisting of the mayor and ten principal burgesses, were empowered to choose Burgesses from among the inhabitants, at their discretion.

Of Mayor.

On St. Matthew's-day, the burgesses, or the greater part of them, were empowered to nominate two of the principal burgesses, to the intent that "the inhabitants of the borough, or the greater part of them," should choose one to be Mayor for the year ensuing.

Of principal Burgesses.

On the death, non-residence or removal of a Principal Burgess, the mayor and burgesses were directed to choose an inhabitant, not being a burgess, to be a principal burgess for life.

Of Steward.

A Steward, learned in the laws, performing the functions of a recorder, was directed to be chosen, by the mayor and burgesses, for life.

Of Chamberlain.

A Chamberlain, to continue for life or otherwise, as it might seem good to the mayor and burgesses, was to be chosen in like manner as the steward, from among the burgesses.

Of Serjeants-at-Mace.

The mayor was empowered to nominate two Serjeants-at-Mace, "to serve so long as he should be in his office, or should please."

By

By this charter the mayor and burgesses were authorized to choose "two discreet and honest men to be Burgesses of the Parliament," and to send the same to Parliament at the charge of the burgesses and commonalty of the borough. The borough has continued to send two members ever since. ST. ALBAN'S.
Members of
Parliament.

The charter of Edward the 6th was confirmed in the 1st year of Queen Mary, by a Charter dated 18th December 1554. This charter is not extant amongst the records of the corporation, but is mentioned in the charter of Charles 1st. Charter of Mary.

Queen Elizabeth, by her Charter dated 7th February 1560, in the 2d year of her reign, confirmed both the former charters. Charter of Eliza-
beth.

Charles 1st, by his Charter dated 17th December 1632, in the 8th year of his reign, confirmed the former grants, created fresh officers and granted further privileges to the corporation. Charter of
Charles 1.

By Charter, dated 27th July 1664, in the 16th year of his reign, Charles the second confirmed the former grants, altered the style of the common council, the title of the corporate body, and the mode of electing the officers created by the charter of Edward. He also required the high steward, recorder and common clerk (officers created by the charter of Charles 1st), to be approved by the King, before entering upon their respective offices. Charter of
Charles 2.

The borough is now governed under this, and so much of all the foregoing Charters, as is not repugnant to the charter of Charles 2d. Governing
Charters.

In the year 1667, a body of bye-laws was made by the mayor and common council, under the title of "Constitutions of St. Alban's." These constitutions were approved by the Lord Chancellor and Chief Justices of the King's Bench and Common Pleas, 4th July 1667. Constitutions of
St. Alban's.

By these constitutions, further regulations were made for the election of corporate officers and freemen, as well as for the ordering of various matters within the cognizance of the corporate authorities.

In all matters to which they are applicable, the constitutions (with the exception of an interval in the reign of James 2d) have been always, and are still, observed as rules of practice.

By an entry in the order book, dated 25th October 1684, signed by the mayor and 10 of the 12 common-councilmen, and witnessed by the common-clerk, it appears that the Charters of this borough were surrendered into the hands of the King (Charles 2d), and Surrender of the
Charters.

On the 16th March 1685, James 2d granted a new Charter, by which the corporation was made to consist of a mayor and 18 aldermen, with the other ancient officers, to be elected as before; provided that the mayor, high steward, recorder, common clerk, or any of the aldermen might be removed at the King's pleasure declared under the seal of the privy council. Charter of James 2.

This charter was accepted and acted upon; nor does it appear from the corporation books at what time the government of the borough, according to the previous charters, was resumed.

The Title of the Corporation, by the charter of Charles 2d, is "The Mayor, Aldermen and Burgesses of the Borough of St. Alban, in the County of Hertford." 3. CORPORATE
BODY.
Title.

The mayor and 12 aldermen are the Common Council and Governing Body of the corporation. Governing Body, or
Common Council.

The mayor is elected by the inhabitants from two of the aldermen, who are nominated by their fellows. The aldermen themselves are elected by the aldermen, for life.

The Common Council holds monthly courts, at which the mayor presides. A common council may be held by the mayor and six aldermen; but no meeting is valid without the mayor. The members present vote by a mere majority, the junior voting first.

They have the sole power of appointing to all the corporate offices, of electing honorary freemen, of administering the funds, and transacting the affairs of the corporation.

The following are the Members and Officers of the Corporation, in order of precedency :

The Mayor,
Twelve Aldermen,
High Steward,
Recorder,
Common Clerk,
Coroner,
Chamberlain,
Twenty-four Assistants,
Two Serjeants-at-Mace,
Two Beadles,

And an indefinite number of Freemen.

Members and
Officers of the
Corporation.

Officers were formerly appointed under the names of

Viewers of Streets and Highways,
Flesh and Fish Tasters,
Searchers and Sealers of Leather,
Viewers of the Market at the Cross.

ST. ALBAN'S.

These officers were probably appointed under the power granted to the mayor and aldermen by the charter of Charles 2d, to nominate from time to time, according to the custom theretofore used, such inferior officers and ministers as they might please.

The offices have long been disused.

The Mayor.

The charter of Charles 2d declares that the Mayor shall be chosen in form thereafter mentioned, but omits to prescribe the form. A form, however, is prescribed by the first constitution, according to which the election is made.

The mayor is chosen on St. Matthew's-day (Sept. 21st). The existing mayor and aldermen are directed to elect two of the aldermen, "of whom the 24 assistants and rest of the inhabitants, assembled in the town-hall, shall choose one to be mayor from Michaelmas-day next for a year." In practice, two aldermen, not having served the office, or if there be none such, the two most remote from the chair, are nominated by their fellows; the senior not having served the office, or the aldermen most remote from the chair, being first named. The alderman so named is usually chosen mayor. In practice, all the inhabitants without distinction present at the election are allowed to vote in the choice of the mayor. A contest is of rare occurrence. There are, however, recent instances of the alderman last nominated by his fellows being chosen by the inhabitants. This has not unfrequently taken place at the solicitation of the first named alderman, and only in one or two instances against his wish. The number of inhabitants present is frequently not more than half a dozen, and seldom amounts to fifty. The election is for the most part merely nominal.

The mayor is removable for misconduct, but no instance of amotion has occurred.

Upon the death or removal of a mayor during his year of office, a new mayor is chosen for the rest of the year, in the same manner as on the charter day.

The mayor is necessarily present, and presides at the meetings of the common council.

He is a justice of the peace, and is entitled to preside at the quarter sessions for the borough, and, by the charter of Charles 1st, is a justice during the year next after his mayoralty. He is also by ancient custom a justice, and presides at the quarter sessions for the Liberty of St. Alban.

He is a judge of the court of record, is entitled to preside at the view of frankpledge, is clerk of the market, and returning-officer for the borough.

By an order of 20th September 1792, the mayor is permitted to nominate one honorary freeman during his year of office, a privilege which the Reform Bill has rendered valueless.

He has an allowance of 79*l.* 9*s.* from the funds of the corporation; and, by an order of 8th March 1758, is entitled to a fee of 2*s.* on the admission of a freeman. This fee is not exacted.

The expenses of serving the office of mayor are computed to exceed the mayor's allowance by about 100*l.* or 150*l.*

About 10*l.* is paid by the mayor towards the beadles' clothes; but the main expenses of the office are incurred in giving one or more entertainments to the aldermen and principal persons of the neighbourhood, in compliance with established custom.

The mayor is subject to sundry fines for refusing office or for misconduct in trifling particulars, according to a rate fixed by the constitutions. These fines are not levied in practice.

The Aldermen.

By the charter of Charles 2d, the 10 Principal Burgesses were converted into 12 Aldermen. The mode of their election was not prescribed by the charter; but by the 12th constitution, "Every alderman shall be nominated and elected within eight days after the death or removing of any of the aldermen; and the mayor shall in due time cause to be warned all the aldermen to be at the town-hall for the same end and purpose." By the 13th constitution, the aldermen, unless amoved, "shall execute their office for life," in like manner as the former principal burgesses.

The new alderman is in fact elected by the rest of the body, from among the resident freemen; or, if not free, is made a freeman before admission to his office; upon which occasion, he is expected to pay a fee of 5*l.* 5*s.* to the common-clerk.

An alderman is removable for misconduct, or for non-residence; but there is no modern instance of amotion. In case of ceasing to reside, it is usual for an alderman to resign.

The privileges and authority of the aldermen, as members of the common council, have been already described.

As individual members of the body, they are judges of the court of record. By the 17th constitution, each alderman may make any one of his sons free of the borough in his lifetime, whether such son be born before his father's becoming free, or after. In the instance of ordinary freemen, the son must be born after the father's admission to his freedom.

If the ex-mayor dies during his year, the senior alderman succeeds him as a justice of peace for the remainder of the year.

The aldermen are rendered liable by the constitutions to a variety of fines; *e.g.* for refusing office, and small neglects and offences. These fines are not exacted in practice.

The High Steward.

The High Steward is elected by the mayor and aldermen (the mayor being one), for life. No qualification is required; and, in practice, the office, which is usually held by some person of consequence, is merely honorary.

The high steward is required "to counsel and direct the mayor and aldermen in the business of the borough," and is a justice of the peace.

This officer was appointed by the charter of Charles 1st; by the charter of Charles 2d, his appointment must be ratified by the King.

The

The office of Recorder was created by the charter of Charles 1st, to be held during the pleasure of the mayor and aldermen; and by the charter of Charles 2d, was made subject to the King's approval.

ST. ALBAN'S.
The Recorder.

The recorder is elected, under the charter of Charles 2d, by the mayor and aldermen (the mayor being one), for life. No qualification is required; but the recorder has usually been a barrister. He is a justice of the peace, and presides, for the mayor, at the quarter sessions for the borough. He also presides at the annual view of frankpledge, in the place of the ancient steward, and is a judge of the court of record.

He receives a salary of 5*l.* 5*s.* per annum.

The recorder cannot appoint a deputy, but must perform his office in person.

Rex v. The Mayor
of St. Alban's,
12 East's Rep. 559.
The Common
Clerk.

The Common Clerk (called Town-Clerk) was appointed by the charter of Charles 1st. He is elected by the mayor and aldermen (the mayor being one), to continue during their pleasure. His election is required, by the charter of Charles 2d, to be ratified by the King. He is elected from the freemen and inhabitants.

He may act by a deputy, to be appointed by the mayor and aldermen, as often as from impotency or any lawful cause he shall be unable to attend his office.

He is the officer of the court of record. He attends at the meetings of the common council and records their proceedings. He is the legal adviser of the corporation, and acts as assessor for the mayor in his capacity of returning-officer.

The present common clerk is clerk to the borough magistrates, and solicitor and attorney to the corporation. He has a salary of 5*l.* a year. He receives certain fees (now of small amount) on the admission of freemen; and certain fees on the election of Members of Parliament, amounting to 85*l.*; of which 63*l.* are paid by all the candidates, and 22*l.* by the successful ones. These are the usual fees and charges for proclamations, poll-books, poll-clerks, preparing the return, &c. The average of his annual bill is from 50*l.* to 60*l.*; and his fees as magistrates' clerk amount to the same sum.

The present common clerk is also coroner and chamberlain.

The office of Coroner was created by the charter of Charles 1st. The coroner is "a fit person" chosen by the mayor and aldermen, to continue in his office during pleasure. He is entitled to 1*l.* upon every inquisition (25 Geo. 2, c. 29), and has no other emoluments.

The Coroner.

The office of Chamberlain was created by the charter of Edward 6th. No later regulation is contained in any charter or bye-law with respect to the election of this officer; but he is now elected by the mayor and aldermen to serve during pleasure. No qualification is required. He is collector of the corporation revenues, of which he keeps the accounts; and by the 29th constitution, he is required to keep an account of all fines and forfeitures, of which none are now imposed or levied.

The Chamberlain.

By the 59th constitution, he has the privilege of making indentures of apprenticeship between freemen and their apprentices, and is required to enrol the same in his book, for which he is entitled to a fee of 2*s.* 6*d.* This fee has since been increased to 11*s.* 6*d.* The number of such indentures during the last five years is 13.

He is also entitled to a poundage of two-and-a-half per cent. on monies received for the corporation.

The 24 Assistants were created by the charter of Charles 1st. They are directed "to be chosen by the mayor and principal burgesses (and now by the aldermen), to continue in their offices during life, unless for just cause removed."

The Assistants.

They are required by the charter "to give their assistance and counsel to the mayor and aldermen in matters concerning the government and advantage of the borough," whenever requested so to do.

Their only duty, in practice, is to attend the mayor and common council in their gowns upon public occasions, according the 7th and other constitutions.

The jury at the view of frankpledge and court of the clerk of the market, is selected, by custom, from this body.

The assistants were formerly entitled to their freedom at a cheaper rate than other freemen by redemption; which, whilst the freedom was an object of desire, was the general inducement to accept the office. There is a fine of 10*l.* in the constitutions for refusing the office; but the fine is not exacted in practice.

There are now four vacancies in this body.

The two Serjeants-at-Mace, who are directed by the charter of Edward 6th to be appointed by the mayor, are in practice elected by the mayor and aldermen.

The Serjeants-at-Mace.

Their duties are to serve the process of the court of record; to serve all processes and notices for the mayor and aldermen, and to bear a mace before the mayor.

They are entitled to a fee of 4*d.* on the admission of freemen. They usually receive one guinea on the admission of an alderman; a like sum on the admission of a candidate for the borough to his freedom, and three guineas for their services during a borough election.

The two Beadles are appointed by the mayor and aldermen during pleasure, under the general power to nominate inferior officers. Their duty is to attend the mayor with the serjeants-at-mace. They are usually made constables for the borough, and act as street-keepers in preventing the commission of nuisances, the intrusion of vagrants, and the like.

The Beadles.

Each beadle receives a suit of livery from the mayor every year; a fee of 2*d.* on the admission of freemen, and a gratuity of 5*s.* 3*d.* on the admission of aldermen. The beadles also act as town-criers, for which they receive small fees.

ST. ALBAN'S.
The Freemen.

By the charter of Edward 6th, the mayor and 10 principal burgesses, composing the common council, were empowered to choose burgesses from among the inhabitants at their discretion. This discretion was regulated by the constitutions and occasional bye-laws, and has long been exercised in the manner at present in use.

The Freemen are now classed as follows; viz.

1. Freemen by Servitude.
2. Freemen by Copy.
3. Freemen by Redemption.
4. Honorary Freemen.

1. By Servitude.

The first class consists of apprentices who have served a freeman within the borough for seven years. A fee originally of 2s. 6d., but now 11s. 6d., is payable to the chamberlain for making and enrolling the indenture; and further fees, amounting to 1l. 17s. 10d., are paid to the common clerk, serjeants-at-mace and beadles, on admission.

2. By Copy.

Freemen by Copy, are the sons of freemen who claim by virtue of their fathers' freedom. They are called "Freemen by Copy," from their title being evidenced by the entry of their fathers' admission, or by a copy of such entry, which every freeman receives upon his admission.

Any one son of a resident alderman, whom his father may name in his lifetime, may be made free of the borough, whether the father were free at the time of the son's birth or not. If the father die without naming a younger son, the eldest son is entitled to his freedom by virtue of his father's copy.

Every freeman inhabiting within the borough, may make free of the borough "which of his sons he will," born after the father's admission; and if the father die without naming a younger son, the eldest is entitled by copy.

By the 49th constitution, freemen by copy pay a fee of 3s. 4d. upon admission, towards the repairs of the Abbey church. They also pay the fees of 1l. 17s. 10d. as the freemen by servitude.

3. By Redemption.

By the 16th constitution, the mayor and aldermen at a monthly court are empowered to admit any persons to be free "whom they shall conceive to be needful and necessary men to be so admitted, and shall well approve of," upon payment of the sum of 5l. at least for Redemption. The fee exacted was usually 10l. This mode of obtaining the freedom was formerly resorted to by persons desirous of carrying on trade within the town, for which purpose the freedom of the town is necessary. These freemen pay the further fees of 1l. 17s. 10d. on admission, as the freemen by servitude.

4. Honorary
Freemen.

The mayor is entitled to make one Honorary Freeman during his year of office; such freemen may also be made by the mayor and aldermen at their discretion.

It is usual to present the honorary freedom to all officers of the corporation (except assistants) not free, or required to be free at the time of their appointment. The assistants are entitled to become free, as by redemption, upon payment of a fixed fee of 5l.

The honorary freemen are expected to pay a fee of 5l. 5s. to the common clerk.

Until 1826, it was usual to present the honorary freedom to candidates for the representation of the borough; in that year it was ordered, that no candidate should be admitted to his freedom without paying a fee of 50l. In 1832 this order was rescinded, and a new order made, by which the fee payable by a candidate is fixed at 10l.

Companies of
Trades.

The freemen were formerly entitled to exclusive privileges of trading within the borough, so that no foreigner might (except in open markets and fairs) buy or sell any wares or merchandize (except victuals) within the borough by parcels or retail, unless one of the contracting parties were a freeman; nor use any mystery, occupation or handicraft within the borough, or liberties thereof." (Charter of Charles 2d.)

A similar provision was contained in the charter of Charles 1st, upon which bye-laws were devised, and companies of trades were instituted with peculiar rules of government.

By the 32d constitution, all the crafts and occupations were divided into two companies; viz. mercers and innholders. One or more wardens were ordained to preside over the companies, in which the freemen were ordered to be enrolled, and to contribute a quarterage of 1d. for the use of the company. By a further series of rules, contained in the constitutions, the charter-principle of exclusion was carried into full effect, and secured by a long detail of penalties and regulations.

The older books of these companies are lost; but it appears that they continued in a state of gradual decay, until a very recent period. For many years past it had been found impossible to procure the payment of quarterages, the attendance of freemen at the wardens' courts, or the enrolment of their names in the companies' books. In the year 1822, the books ceased to be kept, and the companies are now no longer in existence.

The internal trade of the borough has long been virtually unrestricted; and although the constitutions in question have not been repealed, they are considered by the corporation to be illegal, as they seem to have been impracticable.

The privilege of exclusive trading within the borough may therefore be considered as extinct.

General Privileges
of Freemen.

The Freemen are still entitled to vote at the election of the mayor, if present at the place of election; a privilege which they share with the inhabitants at large. This privilege is little more than nominal.

They

They were formerly entitled to vote, in common with the inhabitants paying scot and lot, at the election of Members of Parliament, and that without regard to residence.

After the privilege of exclusive trading fell into disuse, the right of voting for Members of Parliament was the only valuable privilege belonging to the freemen. This privilege will be confined hereafter to freemen by birth and servitude. And although a motive for becoming free may still be found in the capacity which a freeman possesses of communicating a vote to his apprentice, the admissions have fallen off since the Reform Bill; and, in consequence of the fees on the admission of redemption freemen, will probably continue to decrease.

The actual number of freemen is not known, but is supposed to be about 300. The number on the register for the present year is 117; of these, 33 are registered as 107. householders.

The following is a LIST of the present MEMBERS of the COMMON COUNCIL and Chief Officers of the Corporation.

List of Members,
&c. of the Corporation.

Office.	Names.	Profession or Trade.	Residence.	Age.	When Elected.
Mayor -	Francis Kingston	surgeon - - -	St. Alban's	- -	June 1833
	J. S. Story	{solicitor, and clerk of the peace - - -}	- ditto -	52 -	- 1805
	W. Brown	mercier - - -	- ditto -	64	- 1809
	F. Searancke	brewer - - -	- ditto -	48	- 1812
	R. Webster	surgeon - - -	- ditto -	50	- 1812
	T. F. Gape	esquire - - -	- ditto -	41	- 1814
Aldermen	R. W. Brabant	solicitor - - -	- ditto -	40	- 1817
	J. T. Lipscombe	surgeon - - -	- ditto -	40	- 1818
	John Wilde	maltster - - -	Barnet -	46	- 1824
	W. M. Bowen	{D. D., master of the grammar school -}	St. Alban's	66	- 1824
	S. Jones	optician - - -	do. & London	50	- 1827
	T. Rogers	surgeon - - -	St. Alban's	32	- 1830
	R. Grove Lowe	solicitor - - -	- ditto -	31	- 1830
High Steward and Custos Rotulorum	Earl of Verulam	- - - - -	- - - - -	- -	- 1809
Recorder -	G. Watlington	barrister - - -	{Caldecott-hill, Aldenhams -}	70	- 1811
Common Clerk Coroner and Chamberlain -	T. Ward Blagg	solicitor - - -	St. Alban's	32	- 1827

It appears from the preceding statement, that the whole government of the corporation is vested in the hands of the common council, who are self-elected and irresponsible.

General Remarks.

The government of the corporation, however, is no longer of much importance. The corporation is a body without privileges or revenue; and the principal duty of the common-councilmen is confined to the office of justice of the peace.

Owing to the small influence possessed by the common council over the present constituency of the borough, and to the smallness of the corporate revenues, that body appears to have lost much of the political character by which it was formerly distinguished. The majority of the aldermen are attached to the same political party; but there are aldermen of an opposite party, and one or two who are dissenters in religion.

The members of the common council are persons of respectability, and rank amongst the principal inhabitants of the town.

The ancient Jurisdiction of the abbey of St. Alban extended throughout the borough and Liberty: the gaol was situate within the present borough, and the sessions of the peace and other courts were held in the town.

4. JURISDICTION,
CRIMINAL AND
CIVIL, Extent of.

After the dissolution of the monastery, the abbey jurisdiction was parcelled out between the newly chartered borough and the Liberty. By the charter of Edward 6th, a power was reserved for the justices of the Liberty to hold their sessions, and to have a gaol within the borough; upon which power they have always acted.

The justices of the borough, as well as of the Liberty, have exclusive jurisdiction within their respective liberties.

The Justices for the borough are appointed, 1st, by the charter; and 2d, under a separate commission of the peace.

Magistrates.

By the charter of Edward 6th, the mayor and steward of the borough are appointed, "with others to be assigned by the King's commission," to be justices for the borough, to inquire, hear and determine in like manner as other justices of the peace, in any county of England.

By the charters of Charles 1st and 2d, the office of steward was discontinued; but the high-steward, recorder, ex-mayor, and in case of his death during the year, the senior alderman, were made Justices *virtute officii*, in addition to the mayor.

Charter Justices.

- ST. ALBAN'S.** Other justices are also appointed under the Commission of the Peace.
- Commission of the Peace.** These justices are virtually appointed by the Custos Rotulorum for the borough (an office in the appointment of the Crown), in the same manner as justices are appointed by the custos rotulorum for a county.
- Custos Rotulorum.** The appointments, to the number of 30 or 40, are usually made from the principal gentlemen in the neighbourhood and the town, and from the members of the common council.
- Commission Justices.**
- Acting Justices.** Of the whole number, not more than five or six are Acting Magistrates; these are usually common-councilmen. The other magistrates named in the commission seldom qualify, and still more rarely act. The acting justices at present are, the mayor, ex-mayor, recorder, and five of the aldermen.
- Clerk of the Peace.** A Clerk of the Peace for the borough is appointed by the custos rotulorum. The offices of clerk of the peace and common clerk are now, and usually, filled by different persons. The present clerk of the peace is an alderman of the borough, and as such may become mayor and ex-mayor. In those capacities he would be entitled to sit as judge at the court of quarter session; whilst, as clerk of the peace, he must act as officer of the court. No real inconvenience, however, as occurred from the union of the offices.
- Courts.** The Courts which are, or may be, held within the borough, are—
 The Quarter Sessions,
 The Petty Sessions,
 The Court of Record,
 The Court of Requests,
 The View of Frankpledge,
 The Court of the Clerk of the Market,
 The Court of Pie Poudre.
- Quarter Sessions.** The Court of Quarter Sessions is regularly held before the mayor and his companions, who have the ordinary jurisdiction conferred by the commission of the peace. The mayor is entitled to the chair; but the recorder actually presides. The clerk of the peace for the borough is the officer of the court. The business of this court is very small; although all felonies are tried there except those which, in case of conviction, might require the infliction of capital punishment. The average number of felonies is less than two at every session. The number of misdemeanors and appeals is also inconsiderable. The costs of prosecution are smaller than at the county sessions; both in consequence of the scale of fees allowed being lower, and the cost of witnesses being rendered inconsiderable by the limited extent of the jurisdiction.
- Petty Sessions.** The Petty Sessions are held every Saturday before the mayor (who is usually present) and any other of the justices who may attend. The fees allowed at the petty sessions are about to be revised and lowered. The present scale was settled about 30 years ago.
- Court of Record.** A Court of Record, to be held before the mayor, aldermen and recorder, or any two of them (the mayor or recorder being one), or, in their absence, before two or more of the senior aldermen, was directed by the charters to be held on Friday in every week for ever. The court was directed to proceed in all particulars according to the custom of the city of London, and might hold plea in all actions personal or mixed to the value of 38 l.; and by the charter of Charles 2d to the value of 50 l. It was further directed that the mayor and aldermen (the mayor being one) might choose "three or four expert and fit men, being free-men of the borough," to be the sole attornies of the court. The common clerk was the officer, and the serjeants-at-mace were to execute the process of the court. By the old books of this court, it appears that in the beginning of the last century eight or ten causes were frequently entered at one court. It seems, however, that shortly after the establishment of the court of requests in 1752, the business of the court began to decline: in 1770 the court was almost deserted; from that period there were no defended actions, and in 1789 the court was discontinued. It seems that the court was never held before the recorder. At a court of the mayor and aldermen, held in June 1832, a committee was appointed to consider the propriety of reviving the court of record; but in consequence of the introduction of the late bill for the establishment of local courts, the committee did not proceed in their inquiries. The revival of the court is much desired by a great body of the inhabitants, and by the members of the common council. The present grounds of delay are the apparent necessity of limiting the practice of the court to four privileged attornies, and the want of a judge duly qualified to determine questions of law. This is justly regarded by all parties as a serious evil, and will probably prevent the revival of the court.
- Court of Requests.** By an Act of 22 Geo. 2, for the speedy recovery of small debts in the Borough and Liberty of St. Albans, the mayor, aldermen and recorder of the borough, and the justices of the Liberty, or any seven of them, are authorised to assign "so many fit, able and substantial inhabitants as with the mayor, aldermen and recorder will make ninety-six" in the whole,
 to

to be commissioners of "the Court of Requests," for the recovery of debts not amounting to 40s. A certain number are also assigned by the same persons for the Liberty; but the two courts are otherwise distinct.

Of the borough commissioners, eight are summoned every month, in order of rotation, to act for the month; but any other of the commissioners may attend and act at their pleasure.

A court is held every Saturday before the commissioners for the month, or any three of them.

The commissioners are required to decide "as to them shall seem just in law or equity;" and may award execution with costs against the body or goods of the party against whom judgment is pronounced. The term of imprisonment "of debtors or defendants," is limited by 26 Geo. 3, c. 38, to 20 days, when the debt does not exceed 20s.; and to 40 days, when it does not exceed 40s.

The court for the borough of St. Alban is regularly held, usually before three commissioners, and sometimes before four or five.

One of the commissioners is more constant in his attendance than the rest, and usually presides throughout the year.

The acting commissioners are small tradesmen, and none of the members of the corporation, or of the higher class of inhabitants, intermeddle.

The fees of court on proceedings to execution against defendants are 7s. 2d. The expense of the trial is small; as the parties are usually examined upon oath, and bring no witnesses.

The defendants in this court are usually persons who live upon wages, and are seldom possessed of goods which would satisfy the plaintiff's debt and costs. The execution, therefore, is almost always against the body. Of 387 suits commenced in the last year, process against the person was issued in 56; against the goods, only in one.

It is said that this easy remedy against the debtor's person, enables the labourer to obtain a pernicious credit at the shop and the ale-house, producing habits of imprudence and dissipation; and that permitting the defendant to give evidence for himself upon oath has led to a complete disregard of that sanction.

Nothing was said with respect to the effects of imprisonment in the Liberty gaol, although from what will appear under that head, imprisonment in the gaol can scarcely fail to be followed by evil consequences more easily noted than the supposed effects of the debtor's liability to arrest.

Complaints are also made as to the incompetency of the commissioners to act as judges, both from their station in life and their ignorance of law. Upon the whole, however, the court appears to be generally considered as a useful institution.

The following Table is abstracted from Returns prepared by order of the Home Secretary, in the years 1826 and 1827.

	1826.	1827.
Suits commenced below 20s. - - - - -	287	310
Ditto - - above 20s. - - - - -	227	190
Total - - - - -	514	500
Number of executions ordered - - - - -	165	204
Amount for which ordered - - - - -	£. 188. 17. 7.	£. 235. 11. 8.
Number who paid without imprisonment - - - - -	130	127
Number went away, or not found - - - - -	19	61
Number actually imprisoned - - - - -	16	16
Amount recovered with imprisonment - - - - -	£. 5. 14. 4.	£. 1. 15. 10.
Ditto - - without imprisonment - - - - -	£. 119. 1. 4.	£. 109. 15. 6.

A View of Frankpledge, at which the assistants, or, in their absence, any other inhabitants are sworn upon the jury, is held every year for the presentment of constables. The jury also present all nuisances and obstructions within the borough. This presentment is signified to the parties offending, but is followed by no compulsory steps. By the charters, the court is directed to be held before the mayor or recorder: in practice, the latter officer presides.

View of Frankpledge.

The mayor, as Clerk of the Market, holds an annual court in the month of August, at which all persons selling by retail within the borough are required to attend with their weights and measures, to be there examined and verified. All defaulters are fined.

Court of the Clerk of the Market.

At this court, the jury is selected from the assistants, who try the weights and measures. As it never happens that false weights or measures are brought in by their owners, the court is of no practical utility.

The Court of Pie Poudre is totally disused.

Court of Pie Poudre. Juries.

The Juries at the quarter sessions are summoned from the inhabitants at large; the grand jurors being selected from the most respectable class.

The inhabitants of the borough are exempted by charter from serving on juries without the borough.

ST. ALBAN'S.

The persons qualified to serve are summoned by the serjeant-at-mace. They are summoned as nearly as may be according to their turns of service.

Police.

The Police force consists of a high-constable, appointed at quarter sessions; of four constables presented by the Leet jury; the two beadles, and three night-watchmen. The constables are selected from each ward, but act throughout the borough.

They are selected from the class of smaller tradesmen, and sometimes from a superior class.

They are allowed to appoint a deputy; and one or two of them always act by deputy. The high-constable receives a salary from the borough rate, which, with small payments to the petty constables, amounts to 20*l.* a year.

The petty constables receive 5*s.* each for attending at the quarter sessions, and small fees on the service of warrants.

The functions of the beadles have been already described.

The watchmen are appointed by the commissioners under the "Paving and Lighting Act," but they are also sworn in, and occasionally act as constables.

The whole body are in fact under the control of the mayor and acting magistrates.

There is no system of police; the officers acting without concert, in obedience to particular orders. The deputies, who are constantly re-chosen, and who receive two or three guineas from their principals, in addition to their fees, are the most active and useful officers.

Gaol.

There was formerly a Gaol for the borough, situate under the old town-hall. When that building was taken down, an agreement was made between the justices for the borough and Liberty that the borough prisoners should be committed to the Liberty gaol, and kept there at the expense of the borough, the borough paying one-third of the costs of repairing the gaol.

The terms of this agreement are now enforced by a provision in the "New Court Act" mentioned hereafter.

The gaol is situate within the borough, and is divided into a gaol and house of correction. The gaoler is appointed by the hundredor, who is the hereditary Lord of the Liberty, and paid out of the Liberty rate. The keeper of the house of correction is appointed by the borough magistrates, and paid out of the borough rate. The gaol and house of correction are both under the superintendence of the justices for the Liberty; but as some of the borough justices are usually in the Liberty commission, the borough magistrates have in fact a share in the management.

The gaol is an ancient building, which was formerly the principal gateway to the abbey. In the house of correction there is a yard for the men, but none for the females. In the gaol there is a yard for the men, but none for the women or for debtors of either sex. Besides the want of airing grounds, the building affords no means of classifying the prisoners. At the time of my visit, 11 persons were together in the gaol yard, of whom some were confined upon convictions or charges of various felonies, and others of misdemeanors. In the same yard were two debtors in execution for small debts of 18*s.* and 15*s.*, under process from the court of requests, and who could only get fresh air in the prisoners' yard.

The building itself is ill adapted to the purposes of a gaol, and scarcely admits of improvement.

5. PAVING AND LIGHTING.

An Act (44 Geo. 3.) was obtained in 1803, for Paving, Lighting and Watching the borough.

The mayor, aldermen, high-steward, recorder, town-clerk and assistants are *ex officio* commissioners, together with 125 other persons, comprising a large proportion of the better sort of inhabitants. The commissioners fill up their own body upon vacancies by death, removal from the borough, becoming an *ex officio* commissioner, or refusal to act; and "none shall act unless he is in possession of rents and profits of lands or other hereditaments of the value of 10*l.* per annum, or be heir of the owners of an estate of 20*l.* per annum, or be possessed or entitled to a personal estate of 250*l.*"

The commissioners are authorized to raise money by rates, not exceeding 1*s.* 6*d.* in the pound, upon tenants or occupiers of lands, houses, &c. rated to the poor-rate; such rates to be made according to the valuation for the poor-rate. The rates are levied, upon non-payment, by distress and sale.

The commissioners are also authorised to receive one-half of the composition for statute duty from the surveyors of highways.

They are also empowered to raise 4,000*l.* upon annuity, or mortgage of the rates.

The streets are well paved; the town is lighted with gas, and three watchmen are appointed under the Act.

The cost of obtaining the Act was 330*l.* 13*s.* 9*d.*

The following is an abstract of the last year's account:

Dr.				Cr.			
	£.	s.	d.		£.	s.	d.
Half the surveyor's composition	113	15	6	Ordinary expenses	-	-	352 14 3
Rates - - - - -	439	10	11	Salaries, &c.	-	-	30 19 9
	553	6	5	Annuities - - - - -	-	-	190 - -
Balance - - - - -	20	7	7				
	£. 573	14	-		£. 573	14	-

It appears, therefore, that (independent of the debt) the whole ordinary cost of paving and lighting under the Act, and repairing the highways within the borough, is,

ST. ALBAN'S.

						£.	s.	d.
By commissioners' expenses	-	-	-	-	-	383	14	-
Residue of surveyor's composition	-	-	-	-	-	113	15	6
TOTAL						497	9	6

A general repair of streets and roads was begun in the last year, towards which a sum of 700*l.* was borrowed on bond, at 5 per cent. Of this sum, 275*l.* was expended in the last year.

The yearly payments for money borrowed are now,

						£.	s.	d.
By annuities	-	-	-	-	-	190	-	-
Interest on bonds	-	-	-	-	-	35	-	-
TOTAL Interest of Debt						225	-	-

The Revenues of this corporation are derived from tolls, a building and land.

6. REVENUES.
1. Property of the Corporation.
Tolls.

The Tolls are taken at fairs and markets. Four fairs in the year, and a market twice in the week were granted to the town by the charters of Edward 6th and Charles 2d.

Two fairs are only held at present; viz. at Lady-day and Michaelmas; and one market, on Saturdays.

The tolls are principally tolls of corn, and are taken at the market. The toll of wheat is one pint from every load of five bushels; of other grain, one pint from every sack.

The principal sales, amounting to three-fourths of the whole, are made by sample. No toll is taken on such sales.

The small tolls are for wares exposed to sale in baskets, 1*d.* per basket; and various charges for stalls, according to their size.

At fairs the tolls are payable for stalls and piccage only. Both fairs are cattle fairs, and a toll is taken for cattle.

The corporation is possessed of an ancient Building, with a house attached, called the clock-house. This building was conveyed to them in the 29th year of Elizabeth, "for the public use of the burgesses of the borough, as of old it had been used." The house and lower part of the building are let as a shop; in the upper part there is a public clock, which is repaired at the expense of the corporation.

Building.

The Land belonging to the corporation consists of a small plot, and the waste soil of the borough. The waste consists of small pieces by the side of the streets and roads, and is of little value, except for the purpose of holding fairs. The corporation have also a pound; the right of fishery in the river Ver; and pews in the Abbey church; from these no profit is derived.

Land.

They are entitled by charter "to all Fines set and imposed at the quarter sessions for the borough; to all fines levied at the clerk of the market's court; and to all deodands and estrays." The average of these fines for the last five years has been 1*l.* 3*s.* 3*d.* per annum.

Fines.

The fines on the admission of freemen were formerly a source of considerable profit, which has been greatly diminished by the Reform Bill, and can never be restored. When the order was in force for compelling the candidates for the representation of the borough to pay a fine of 50*l.* on their admission as freemen, the corporation received 200*l.* at a single election.

The penalties imposed by the constitutions upon persons refusing to accept offices, and for a great variety of defaults in office, were formerly very numerous and productive. Although the bye-laws have not been repealed they have long fallen into disuse, and the fines are no longer imposed.

The following is a statement of the actual Income of the corporation:—

Net Income.

						£.	s.	d.
Rent of tolls	-	-	-	-	-	150	-	-
Clock-house	-	-	-	-	-	35	10	-
Land and quit rents	-	-	-	-	-	2	1	6
Fines	-	-	-	-	-	1	3	3
TOTAL						188	14	9

The regular account books commence with the year 1731. The property of the corporation at that time appears to have been more, though not much more, than at present. Some small alienations must have been made, which I could trace in the books.

ST. ALBAN'S.

The revenues in 1733-34, the first year for which there are complete accounts, were 238*l.*; and for the year following, 236*l.* Since that date, (except in years when batches of freemen were admitted,) the regular income has gradually declined; principally from a falling off in the amount of fines and fees.

2. Disbursements.

The following are the regular annual Disbursements:—

	£.	s.	d.
Mayor's allowance - - - - -	79	9	-
Recorder's salary - - - - -	5	5	-
Common Clerk's yearly bill - - - - -	65	13	9
Land-tax on tolls and rates, &c. - - - - -	12	18	1
Common Clerk - - - - -	3	3	-
Sundries - - - - -	4	1	2
TOTAL - - - £.	170	10	-

The common clerk's yearly bill includes his salary as common clerk and chamberlain, his bill for law expenses and for attendances at corporate meetings, drawing minutes of proceedings, and acting, in fact, as clerk to the common council.

The disbursements for the last century have been of a similar description with those contained in the foregoing statement.

From the sum of 200*l.* received for candidates' fees, and from the small yearly balance, and other casual receipts, the corporation have expended during the last six years —

	£.	s.	d.
For repairs of market-house, clock-house, engine-house, &c. - - - - -	129	6	1
Perambulating boundaries and renewing boundary-posts - - - - -	84	10	8
Subscription to the repairs of the Abbey church - - - - -	50	-	-
Sundry public expenses - - - - -	82	6	10
TOTAL - - - £.	346	3	7

There is still a balance in hand, and 50*l.* rent arrear.

The chamberlain's books are regularly kept, and audited at a monthly court. The account is never published, and is only accessible by members of the common council.

7. BOROUGH RATE.

A Rate is levied for the borough, in the nature of a county rate, and is applicable to the same purposes.

Ordinary Expenses.

The heads of last year's expenditure were as follows:

	£.	s.	d.
High and petty constables - - - - -	20	5	1
Clerk of the peace - - - - -	47	-	4
Gaol, prosecutions, &c. - - - - -	102	4	-
Treasurer, &c. - - - - -	26	10	6
Ordinary expenses - - - - -	195	19	11
New Court Act - - - - -	263	7	4
TOTAL - - £.	459	7	3

New Court Act.

The last item is the amount of monies levied for the payment of the interest, and part of the principal of a debt incurred in the erection of a new court and common council chamber.

By an Act, 14th May 1829, it was provided that a new court-house should be built for the use of the Borough and Liberty. Money was to be raised for the purpose by voluntary subscription; and of the deficiency, the Liberty was to make up two-thirds, and the borough one-third. The cost of repairing the new building was to be borne in the same proportions. The Liberty and borough rates were made chargeable with any sum which might be necessary to complete the building.

The old town-hall was pulled down, and a new court-house (containing a room for the common council) has been erected in pursuance of the Act.

The cost of obtaining the Act was 760*l.* The law expenses, independent of the Act, were 400*l.*; building and furnishing, 11,040*l.* Total, 12,200*l.* Of this sum 4,066*l.* 13*s.* 4*d.*, being one-third, was due from the borough. To meet it, the borough rate was charged with a loan of 3,000*l.* at five per cent. The materials of the town-hall were sold and applied to the same purposes, and a sum still remains due to the Liberty.

The Borough account stands as follows:

	£.	s.	d.
By money borrowed - - - - -	3,000	-	-
Balance due - - - - -	358	14	3
TOTAL Debt - - £.	3,358	14	3
Materials of town-hall - - - - -	707	19	1
TOTAL - - £.	4,066	13	4

The

The Abbey Church was granted to the burgesses by Edward 6th, in consideration of 40*l.* and a fee-farm rent of 10*l.* per annum. This rent was conveyed to one Richards, by deed dated 30th July 1684, in trust for the mayor and aldermen, upon payment of 200*l.*

The church, in size and magnificence, is equal to our larger cathedrals. No provision being made for its repair, it is with difficulty that this noble building is kept in a fit state to serve even for a parish church.

The benefice is in the gift of the corporation. The parson's income is derived from surplice fees, Easter-offerings, and considerable fees upon burials in the church. The average value of the living is estimated at 200*l.* or 250*l.* per annum.

The incumbent is not a member of the corporation.

ST. ALBAN'S.
8. PATRONAGE.
The Abbey Church.

By the charter of Edward 6th, power was given to the mayor and burgesses to erect a Grammar School in the town, to make rules, and to appoint a master.

By divers other charters and bequests, the endowments of the school have been increased to the present amount of 157*l.* 5*s.* per annum.

Under a decree of the Court of Chancery, the master is now elected by eight trustees, of whom four are members of the common council.

The present master, who is a common-councilman and a magistrate, was appointed 30 years ago, with a salary of 60*l.* per annum.

The rest of the revenues is spent in repairs and incidental expenses.

Grammar School.
Report of Charity
Commissioners.

Raynshaw's Charity consists of 11 rooms, which are inhabited, rent-free, by 10 poor persons of the town.

These persons are appointed by the mayor and aldermen, acting upon the recommendation of the clergymen of the several parishes.

Raynshaw's
Charity.

Thomas Lathberye left an annual sum, now amounting to 45*l.* a year, to be distributed amongst the poor of the town; and Thomas Gawen left another sum, of which 40*l.* a year is distributed amongst the poor of the Abbey parish, at the discretion of the mayor and aldermen.

These sums are distributed according to the recommendation of the parish officers.

Lathberye's
Charity.
Gawen's Charity.

Goldsmythe's Charity, an annual sum of 20*s.*, is annually distributed in like manner.

Goldsmythe's
Charity.

A further yearly sum of 40*s.*, called Hall's Charity, was formerly distributed in like manner. This sum is now paid by the Earl of Verulam (the custos rotulorum for the borough), under circumstances detailed in the Report of the Charity Commissioners.

Hall's Charity.

According to an ancient map, dated in 1634, and preserved in the corporation chest, the square contents of the borough are 282 acres, 1 rod; according to the Population Return for 1831, they are 320 acres.

9. STATE AND
PROSPECTS OF
THE TOWN.
Acreage.

The Population in 1801	-	-	-	-	-	was 3,038
1811	-	-	-	-	-	3,653
1821	-	-	-	-	-	4,472
1831	-	-	-	-	-	4,772

Population.

The parliamentary boundary included, in the latter year, a population of 5,771.

Pop. Ret. 1831.

In the same year, the families employed in agriculture were	-	-	-	92
in trade and manufactures	-	-	-	560
not comprised in either class	-	-	-	453

Ibid.

The Assessed Taxes for years ending 5th April:

Assessed Taxes.

	£.	s.	d.
In 1829, were	-	-	-
1830	-	-	-
1831	-	-	-

Parl. Rep. 1831,
No. 69.

The Poor-Rate actually collected for the year ending Lady-day 1833, amounted to 2,134*l.* 13*s.* 6*d.*

Poor-Rate.

The present Constituency of the borough (which still returns two Members to Parliament) consists of the 10*l.* householders, the freemen, and inhabitants paying scot and lot upon the present register (1833).

Parliamentary
Constituency.

In the register for 1832, there were,

10 <i>l.</i> householders	-	-	-	-	-	264
Freemen	-	-	-	-	-	118
Inhabitants paying scot and lot	-	-	-	-	-	275
TOTAL	-	-	-	-	-	657

ST. ALBAN'S.

In the register for 1833, there are,

10 <i>l</i> . householders	-	-	-	-	-	-	-	254
Freemen	-	-	-	-	-	-	-	117
Inhabitants paying scot and lot	-	-	-	-	-	-	-	243

611

Deduct, freemen registered as 10 <i>l</i> . householders and scot and lot	-	-	-	-	-	-	-	35
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576

Registered twice	-	-	-	-	-	-	-	2
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TOTAL Number of Voters - - - 574

Voters in the register for 1832	-	-	-	-	-	-	-	657
— for 1833	-	-	-	-	-	-	-	574

DECREASE - - - 83

The greatest number of voters ever polled before the Reform Act (April 1831) was 656.

Manufactures.

With the exception of the straw plat, the only Manufactures of the town are carried on in one silk mill and one cotton mill, driven by the common water power. The silk and cotton manufacture are said to be declining. The straw plat, called *Tuscan*, is of recent introduction, and is extensively carried on at present. The loom by which the work is performed is seen in almost every cottage. The manufacture seems likely to increase the number of the poor, without adding to that of the rich; as it is carried on by many individuals with a small or scarcely any capital.

Trade.

The Trade of the town is confined to the supply of articles of ordinary consumption. There are but few persons of much property among the residents, and a large population of poor. The town is described as being stationary, and with no present prospect of advancing in wealth or consequence.

10. DOCUMENTS.

Copies of the following Documents accompany this Report:

(A.) The Charter of Edward 6th.

(B.) The Charter of Charles 1st.

(C.) The Charter of Charles 2d, and the Constitutions of St. Alban's.

Local Acts.

(D.) An Act for the more easy and speedy recovery of Small Debts within the Borough of St. Albans, in the county of Hertford; and the several towns, parishes, wards, hamlets and places within the Liberty of St. Albans. [25 Geo. 2, c. 38.]

(E.) An Act for paving the footways and cross-paths, and for cleansing, lighting, watching and regulating the streets and other public passages and places within the Borough of St. Alban, in the county of Hertford. [44 Geo. 3, Sess. 1803-4.]

(F) An Act for building a new Court-House for the Liberty and Borough of St. Alban, in the county of Hertford. [Royal Assent, 14th May 1829.]

11. PROCEEDINGS AT THE INQUIRY.

I think it proper to state, that immediately before my inquiry began at the council-chamber of this corporation, in St. Alban's, the town-clerk informed me that he was instructed by the corporation to give every information to the Commissioner respecting the municipal government of the borough, and to afford every facility for investigating the public records and muniments of the corporation, although he conceived that they were under no legal obligation to do so, and that the Commission was unconstitutional.

I should further state, that every information and facility were in fact afforded, and that the town-clerk, in particular, had taken great pains in collecting evidence upon every topic within the scope of my inquiry.

1st February 1834.

C. Austin.

R E P O R T

ON

THE CORPORATION OF WINDSOR.

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CORPORATION OF WINDSOR.

Limits.

1. THE Limits of the Borough comprehend the whole of the parish of New Windsor, the hamlet of Dedworth, and a part of the parish of Clewer. The old borough, which varies but little in extent from the new Parliamentary borough, is correctly described in the Map of the Boundary Commissioners.* It contains a population of about 6,500 persons.

Charters.

2. The borough of New Windsor does not now claim any privileges by prescription; but as a mayor and bailiffs are mentioned in very ancient documents, it is probable that there were earlier Charters of incorporation than any of those at present in existence. The first charter of which any traces are now to be found, was granted by Edward I., who in the fifth year of his reign (1277) gave the inhabitants of New Windsor a merchant guild and several liberties and immunities. The same king, in the ninth year of his reign (1281), gave the whole borough to the burgesses, to be holden by them for ever of the Crown, at a rent of 17*l.* Henry VI., by a Charter granted in the 17th year of his reign (1439), reduced the amount of this rent, and confirmed the fifth Edward I. He also granted to the burgesses a freedom from tolls throughout England, all fines and forfeitures within the borough, the exclusive cognizance of real and personal pleas, the return of writs, and a jurisdiction to try all offences committed within the borough excepting felony. In the 23d year of his reign (1444) the same king, in consideration of the surrender of the charter of the ninth of Edward I., re-granted the borough to the burgesses at a diminished rent.

Edward IV., by an inspeximus charter granted in 1462, confirmed the 17th of Henry VI., and by another charter dated in the sixth year of his reign (1466), after reciting that the inhabitants were reduced to great want and distress, and that part of 200 acres of land adjoining the town, upon which they had immemorial rights of common, had been lately inclosed by the king "to make a park thereof," incorporated the mayor, bailiffs, burgesses and inhabitants, remitted to them a part of their rent for the borough, and granted them a license to hold an annual fair.

These two charters of Edward IV. were confirmed by inspeximus charters of the 15th of Henry VII. (1499), the sixth of Henry VIII. (1515), and third of Edward VI. (1549); none of which confer any new privileges.

In the first year of the reign of James I. (1603), a new charter of incorporation was given to the borough, in which most of the above mentioned grants are recited and confirmed. The provisions of the charter of James are precisely similar to those of the present governing charter, which is dated the 16th Car. II. (1664.) This latter charter was surrendered to Charles II. about the year 1684, and a new one granted in the first year of the reign of James II.; the charter of Charles II. was, however, resumed upon the proclamation for restoring surrendered charters in 1688, and has been acted upon ever since.

Title.

3. The Title of the corporation under the governing charter is, "The Mayor, Bailiffs and Burgesses of the Borough of New Windsor, in the County of Berks."

Corporate Body.

4. The Body Corporate, under the general name of the mayor, bailiffs and burgesses, consists of a fraternity, the formation of which is described in the charters of James I. and Charles II., according to the ancient usage. The members of this body, who are named "The Brethren of the Guildhall," and constitute the common council of the corporation, in the words of the charter—"may and shall be" 28 in number, and shall not exceed 30. Of this fraternity, 13 are called benchers; and of these again, 10 are called chief benchers or aldermen, of whom the mayor for the time being is one; the remainder of the brethren are called "Younger Brethren of the Guild," or common councilmen. The whole common council therefore is composed of—

Ten Chief Benchers, or Aldermen,
Three Benchers, and
Fifteen or seventeen Younger Brethren, or Common Councilmen.

Chief Benchers;
how elected.

Upon the death or removal of one of the Chief Benchers or Aldermen, the remaining benchers, or the major part of them, may elect a successor from their own body.

The

* In the description of the boundary of the new borough in the stat. 2 & 3 Will. IV. c. 64. Schedule (O.) a mistake has occurred in naming one of the points, the effect of which is, to exclude from the new borough an inhabited portion of the old borough. The mistake has arisen from confounding a well-known place, called "The Goswell Ditch," with a ditch dividing two fields, called "The Goswells."

The Benchers are elected upon vacancies by the remaining members of the body of 13, from the inhabitants of the town.

WINDSOR.

Benchers; how elected.

The Younger Brethren, or Common Councilmen, are elected in the same manner, and by the same body, from the inhabitants of the town.

Younger Brethren;
how elected.

All the members of the corporate body hold their respective situations for life, but are removable for misconduct by a majority of the 13 benchers.

5. The Officers of the corporation named in the charter of Charles II., are—

Officers.

A Mayor,
A High Steward,
An Under-Steward or Town Clerk,
A Justice, and
Two Bailiffs.

There are also a Chamberlain and a Serjeant at Mace, who are not chartered officers.

6. On the first Monday in September in every year, the brethren of the Guildhall, not being benchers, nominate three aldermen to the 13 benchers, who then elect one of the three aldermen so nominated, as Mayor for the ensuing year. The new mayor is sworn in on the Monday next after Michaelmas-day.

Mayor.

The mayor is chief magistrate within the borough; presides in the court of quarter sessions; and by the constitution of the court of record, his presence is necessary to form that court. He is also clerk of the market, and returning officer at elections of Members of Parliament. He is not named in the charter as coroner, but he has always acted as such, and the jurisdiction of the county coroner is expressly excluded.

The mayor receives an allowance of 60*l.* from the corporation funds; but the expenses imposed upon him by the customary hospitalities of his office far exceed that sum. He has no incidental emoluments.

7. The High Steward, who, by the charter, must be "an eminent man" (*vir præclarus*), is chosen by the mayor, bailiffs and burgesses, or the greater part of them. He holds his office "for one whole year after his election, and from thence until a successor is appointed."

High Steward.

The high steward must be approved by the Crown before he enters upon his office. He has no assignable functions, and no salary or emoluments.

The present high steward is His Royal Highness the Duke of Cambridge.

8. By the governing charter, the corporation are entitled to nominate a "discreet man learned in the Laws" to be Under-Steward and Common Clerk of the borough. He is to be elected by the mayor, bailiff and burgesses, and holds his office "for one whole year, and from thence until a successor is appointed." Although only one person is expressly appointed by the governing charter to act as under-steward and common clerk, it is probable, from several expressions in that charter (which is inaccurately penned), that two officers were contemplated; one of whom was to exercise the functions of Recorder, and the other to act as Town Clerk. We have not been able to find any mention of a recorder in the earlier documents of the corporation, and it appears to be doubtful whether he is *eo nomine* an ancient officer; but in modern practice, a recorder and a town clerk have been invariably elected upon vacancies as separate officers, under the clause in the charter which describes the election of the under-steward and common clerk.

Under Steward
and
Common Clerk.

The under-steward and common clerk must be approved by the Crown before they exercise their functions.

The duties of the recorder are not defined by the charter; in practice, his only function is to assist the mayor and justice as their assessor in the court of quarter sessions. In accordance with the charter and ancient usage, he is always one of the two persons nominated for the office of justice of the peace in the manner hereafter described; but as he does not usually reside within the borough, he is never actually chosen. The recorder or under-steward has no authority by the charter to appoint a deputy; in practice, however, the present recorder has frequently deputed a barrister to attend for him at the sessions, in case of his illness or unavoidable absence.

Sir Giffin Wilson, a Master in Chancery, is the present recorder, and he always attends at the quarter sessions personally or by deputy.

The recorder has an annual salary of 20*l.*

The functions of the Common or Town Clerk are to transact the law business of the corporation, to keep their charters, books and muniments, and to enter minutes of their proceedings. He acts as clerk of the peace in the borough, and assists as the officer of the court at the quarter sessions. It is also his duty to draw the indictments, and to keep the records of the court.

WINDSOR.

He has no salary, and his only emoluments are his professional charges for business done, and his fees as clerk to the borough magistrates.

Justice.

9. The election of the Justice of the Peace for the borough is similar to that of the mayor. On the first Monday in September in every year, the brethren of the Guildhall, not being benchers, nominate two persons, one of whom must be an alderman and the other the under-steward, to the intent that the benchers may elect one of them as justice for the ensuing year. As the recorder or under-steward is not elected on account of his non-residence, the alderman is always chosen. It has for many years been usual to nominate and elect the mayor who goes out of office as justice for the ensuing year.

He acts as a justice of the peace, and, with the mayor, presides at the quarter sessions.

The justice has no salary or emoluments.

Bailiffs.

10. The two Bailiffs are annually elected, on the same day as the mayor, by the mayor and aldermen, from among the body of "Brethren of the Guildhall."

The bailiffs summon juries and execute process within the borough; they are also by the charter keepers of the gaol.

They have no salary or emoluments.

Chamberlain.

11. The Chamberlain is annually appointed by the mayor, aldermen and burgesses.

His duties are to collect the rents, make the payments and keep the accounts of the corporation; rendering his accounts annually to the mayor, bailiffs and burgesses.

He has a salary of 10*l.* a year.

Inferior Officers.

12. A Serjeant at Mace, Hall Keeper and Gaoler are appointed by the corporation upon vacancies, and hold their offices during pleasure. The actual duties of the serjeant at mace are merely to carry the mace and to attend upon the mayor. He receives a salary of 15*l.*, a livery, and some small fees at the sessions.

The hall keeper has 15*l.* a year, a livery, and some perquisites.

The gaoler receives 30*l.* a year and his clothes; he has also a residence in the gaol rent-free, and receives small fees as a tythingman.

Freemen.

13. By an express clause in the charter, all persons who are not Freemen are restrained from selling by retail within the borough; but this exclusive privilege has long fallen into disuse, and as the elective franchise before the Reform Act was vested in the scot and lot inhabitants, no motive has for many years existed for becoming free of the borough. It is not known with accuracy how the title to freedom was formerly acquired. It is considered that all persons who are elected members of the corporate body must previously become free; and in such cases the freedom is granted to them without any fine or payment. Honorary freemen are also occasionally made by the corporation.

Fees on Admission.

14. No Fees are paid upon admission to any office in the corporation. In all cases where the freedom of the borough is now bestowed, either by way of compliment or as a step to office, the expense of the stamp is defrayed out of the corporate funds.

Fines on refusal to serve.

15. Under an ancient bye-law, the corporation have power to impose discretionary Fines upon persons refusing to serve the offices to which they have been elected. No fines have however been imposed for many years.

Courts.

Sessions.

16. The only Court held within the borough is the Quarter Sessions of the Peace, which is holden quarterly before the mayor and justice, assisted by the recorder. By the charter, the mayor and justice have an exclusive jurisdiction to try all kinds of offences not affecting life and limb. The number of trials in this court within the last three years is 63; of which 54 have been felonies and nine misdemeanours.

Fees.

A list of the Fees taken at the borough quarter sessions accompanies this Report.

Court of Record.

17. By the charter a Court of Record may be holden within the borough every Monday before the mayor, aldermen, bailiffs and under-steward, or any three or more of them, of whom the mayor must be one; with power to try all real, personal and mixed actions in which the debt or damages to be recovered do not amount to 40*s.*

This court, which was much frequented until the beginning of the last century, is now wholly fallen into disuse, not having been holden within living memory.

Court of Piepowder.

18. A Court of Piepowder is also granted by the charter, which was holden on one occasion about 17 years ago.

19. The

19. The Juries for the sessions are selected by the bailiffs from the rated inhabitants of the borough. In order to distribute the burthen as fairly as possible, and to leave no room for a partial selection, the names of the grand and petty jury are placed in two bags, and a sufficient number for each sessions are then indiscriminately drawn. Juries.

The corporation appoint two constables and four tythingmen, who are merely parish constables, and receive no payment for their services.

20. There is no systematic Police in the town, but the commissioners of the pavements under the local Acts, among whom the mayor, justice and under-steward of the borough for the time being are named, appoint a night-constable and six watchmen, who have power to apprehend vagrants and disorderly persons. These watchmen are paid by the commissioners out of the funds vested in them for the purposes of the local Acts. Police.

Much inconvenience arises from the circumstance that the charter authorizes no more than two borough magistrates. It is important for the purposes of police, not only that the number of magistrates should be increased, but that their jurisdiction should be extended over such parts of the parish of Clewer as adjoin the present borough. We should have concluded from its local situation, that it would have been desirable to include Eton within the same jurisdiction; but this suggestion was objected to, both by the corporation and some of the inhabitants, though no valid reason for the objection was stated.

21. The Gaol is nominally kept by the bailiffs, but is really under the superintendence of the corporation. It is a modern building, having been erected about 30 years ago by his late Majesty George III., in the place of an old and insufficient prison adjoining the castle. Gaol

The present gaol is secure and sufficiently capacious for a classification of the prisoners and a separation of males from females. It contains, however, no sufficient means for inflicting hard labour upon prisoners in execution, and is too confined for long imprisonments. It is principally used for the confinement of prisoners before trial, and for the punishment of offenders on summary conviction. Prisoners sentenced to a longer imprisonment than a few weeks, are sent to the county gaol at Reading, for which a stipulated diet is paid to the gaoler there.

The maintenance of the gaol imposes a heavy annual charge upon the corporate funds, in repairs and other incidental expenses.

22. The Property of the corporation consists principally of houses in the borough; there is also a small sum invested in the public funds. Their income is derived from the rents of houses, the fines upon renewals of leases (which are usually fixed at one and a quarter year's rack rent), fines imposed in the court of quarter sessions, and the dividends of the stock invested. Property.

The following is an abstract of the Income and Expenditure of the corporation, taken upon an average of the last 12 years:

TOTAL INCOME for 12 years, ending Michaelmas 1833.

	£.	s.	d.	£.	s.	d.
By rental - - - - -	5,123	8	5	426	19	-
By fines on renewals - - - - -	1,373	18	-	114	9	10
Ditto for offences - - - - -	148	10	4	12	7	6
By dividends - - - - -	436	16	-	36	8	-
By extras - - - - -	819	13	7	68	6	1
TOTAL - - - £.	7,902	6	6	658	10	5

{ Yearly
average

TOTAL EXPENDITURE for 12 years, ending Michaelmas 1833.

	£.	s.	d.	£.	s.	d.
Salaries, rates, taxes, insurance, rent-charges, charities and other inevitable payments -	1,948	16	2	162	8	-
Ordinary periodical payments, such as Mayor's allowance, Sessions dinners, London journeys, Town Clerk and Chamberlain	1,902	9	5	158	10	9
Repairs, furniture and stationery - -	1,998	13	8½	166	11	1
Extra expenses arising from occasional subscriptions, coals and candles, and including building house at Crown Corner, the purchase of standard weights and measures, and of entertainments to two High Stewards	1,837	6	5½	153	2	2
TOTAL - - - £.	7,687	5	9	640	12	-

{ Yearly
average.

23. The corporation have no Patronage.

Patronage.

WINDSOR

Local Acts.

24. The only Local Acts relating to the borough, are the 9th George III. c. 10, (local and public), intituled, "An Act for the better paving, cleansing, lighting and watching the streets and lanes in the parish and borough of New Windsor, in the county of Berks, and for preventing nuisances and annoyances therein;" and the 47 George III. s. 2. c. 8, which enlarges the powers and provisions of the former Act.

General Prospects.

25. The town of Windsor is increasing in size and population; the poor's-rates in the parish of Windsor for the last year, as compared with those of 1829 and 1830, are considerably reduced; as compared with the years 1827 and 1828, there is but little variation.

The following amounts have been paid for the relief of the poor in the parish of Windsor during the last seven years.

			£.	s.	d.
For the year ending 25th March	1827	- - -	2,875	9	1 1/4
"	" 1828	- - -	3,071	13	9
"	" 1829	- - -	3,580	10	9 1/2
"	" 1830	- - -	3,705	8	6 1/2
"	" 1831	- - -	3,250	5	9
"	" 1832	- - -	3,106	7	1
"	" 1833	- - -	2,918	12	2 1/2

There is no considerable manufacture carried on in Windsor, and the increase of the town in size and apparent prosperity in the last few years, is to be attributed to the residence of the court.

London, January 1834.

Peregrine Bingham.
David Jardine.

R E P O R T

ON

THE CORPORATION OF WOKINGHAM.

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CORPORATION OF WOKINGHAM.

Limits.

SOME doubts have been entertained respecting the original Limits of the corporate jurisdiction of Wokingham, but as they are at present observed for practical purposes, they are sufficiently defined. They comprehend the whole of the ancient town of Wokingham within the county of Berks, that portion of the town and parish which is situate in Wiltshire, and also a considerable part of the parish lying in Berkshire being beyond the corporation boundary. In the governing charter of James I., the place is described as "the Town of Wokingham in the Counties of Berks and Wilts;" and the entries in all the court books and minutes of the corporation for the last 200 years adopt the same description. But from some of these entries, and also from other documents in the possession of the corporation (none of which are earlier than the year 1630), it appears highly probable that the local jurisdiction was always restricted to the Berkshire part of the town. In a charter granted by Queen Elizabeth, the town is described as "Woking or Wokingham, in the county of Berks, parcel of the manor of Sonning, in the same county." As the manor of Sonning does not comprehend the Wiltshire part of the town, and as there is no evidence whatever of the existence of a more extended jurisdiction at any time, it is probable that the usage in this respect has always corresponded with the modern practice, the only ambiguity having been introduced by the words of the charter of James I. The town or corporation jurisdiction contains a population of about 1,600 persons; the Berkshire part of the parish about 1,060, and the Wiltshire division about 447.

Charters and Title.

The earliest existing Charter of Wokingham was granted in the 25th year of the reign of Elizabeth (1583), which merely recites and confirms some ancient customary privileges respecting the election of an alderman and inferior corporate officers. The present governing charter was granted in the 10th year of the reign of James I. (1612). From this latter charter the corporation derives its present constitution, with the title of "The Alderman and Burgesses of the Town of Wokingham, in the Counties of Berks and Wilts."

Corporate Body.

By the Charter, all the inhabitants of the town are incorporated, but the governing members of the body corporate consist of an Alderman, seven Capital Burgesses, and twelve Secondary Burgesses.

Alderman

The Alderman is elected annually on the Wednesday in Easter week from among the capital burgesses by the alderman, capital and secondary burgesses, or the greater part of them.

Capital and Secondary Burgesses.

The Capital Burgesses are elected upon vacancies from the secondary burgesses, by the same body as the alderman; and the Secondary Burgesses are chosen in a similar manner from the inhabitants of the town. The capital and secondary burgesses hold their respective offices for life, subject to removal for misbehaviour, at the discretion of the alderman and capital burgesses.

Common Council.

The alderman, capital and secondary burgesses constitute the Common Council of the town, and have power to make bye-laws, and perform all other functions of corporate government.

Great difficulty has been found for many years past in keeping up the numbers of the corporation. No secondary burgesses have existed as a separate body since the year 1822, and the number of capital burgesses has sometimes been reduced to four. At present the number of capital burgesses is complete.

Officers.

The Officers of the corporation named in the charter are,—

- An Alderman,
- A High Steward,
- A Recorder, or Under Steward,
- A Justice,
- A Town Clerk, and
- 2 Serjeants at Mace.

Besides these, there are—

- 2 Constables,
- 2 Bailiffs,
- 2 Ale-tasters,
- 1 Flesh-taster, and
- 1 Leather-sealer,

who are ancient customary officers.

Alderman; his functions.

The mode of electing the Alderman has been already described. He is by virtue of his office chief magistrate of the town, and, as such, presides at the court of quarter sessions. He is also entitled to sit as a judge in the court of record, and is by custom, and by the charter

WOKINGHAM.

charter of Elizabeth, clerk of the market. The alderman has no salary, but he receives to his own use the tolls of the market, which average from 15*l.* to 20*l.* a year. From these tolls he is, by an old custom of the corporation, obliged to lay aside a certain sum for the repairs of the town-hall; formerly this sum appears to have varied at different periods from 3*l.* to 5*l.* or 6*l.*, according to the state of the building, or as funds were required for other purposes. At present the sum annually appropriated by the alderman to this purpose is 10*l.* The necessary official expenses of the alderman arising from customary entertainments to inferior officers at the sessions, and on other public occasions, amount to between 30*l.* and 40*l.*; in fact, they often amount to 50*l.* He has no other emoluments.

The High Steward, who must be "*vir præclarus*," is elected for life, as vacancies occur, by the alderman and capital burgesses, or the greater part of them (the alderman being always present at the election). He is by the charter a justice of the peace within the town. The present high steward is Lord Braybrooke, who resides in the neighbourhood of Wokingham, and has occasionally acted as a magistrate within the town.

He has no emoluments or salary.

The Recorder, who must be "skilful in the laws," is chosen, upon vacancies, by the alderman and capital burgesses, or the greater part of them, and holds his office during the pleasure of the body by whom he is elected. He is a justice of the peace within the town, presides as a judge at the quarter sessions, and is by the charter one of the judges of the court of record.

It has always been required by the corporation that the recorder should reside in the town, or at least that he should attend at the quarter sessions. There are instances on the corporation minutes of the removal of recorders for non-attendance upon their official duties; and the late recorder, Sir Giffin Wilson, resigned his office at the request of the corporation, in consequence of his frequent absence. The present recorder is a solicitor residing at Wokingham, who always attends at the sessions.

He has no salary or emoluments.

By a provision of the charter, the alderman, on retiring from his office at the end of his year, becomes a Justice of the Peace for the ensuing year.

He acts as a magistrate for the town, and sits with the other local magistrates as a judge at the sessions.

He has no salary or emoluments.

The Town Clerk is elected for life, upon vacancies, by the alderman and capital burgesses, or the greater part of them, of whom the alderman for the time being must be one. He keeps the charters, books and muniments of the corporation, acts as clerk of the peace within the town, attends at the sessions, draws the indictments and enters minutes of the proceedings. He has no salary, and his only emoluments are his fees as local clerk of the peace. He is expressly empowered by the charter to act by deputy.

The governing charter authorizes the appointment of two Serjeants at Mace by the alderman and capital burgesses. At present only one is appointed. His business is to attend upon the corporation, and he also acts as a constable and cryer of the court at the quarter sessions. In the latter capacity, he receives some small fees, which constitute his only emolument.

The Constables and other Inferior Officers are annually appointed by the local justices at the Easter sessions, which were formerly held conjointly with the court leet of the manor of Sonning, before the steward of the manor, and the alderman of the town of Wokingham. The appointment of Ale-tasters, Flesh-tasters and Leather-sealers is still continued, but their offices are now merely nominal.

No Freemen have been created since the year 1796, excepting those persons who have become members of the corporation. Exclusive privileges of trading were formerly possessed by the freemen, and were protected by a bye-law, which seems to have been rigidly enforced until the commencement of the last century. In the year 1713, upon a petition from the inhabitants, who agreed to indemnify the corporation from actions, a general order was made by the common council to summon and fine all foreigners who carried on trade within the borough. It does not appear what was the result of this proceeding; but it is probable that the bye-law was discovered to be illegal; and consequently, that as the privilege could not be enforced, it became of no value, and the practice of taking up freedoms was abandoned. No other practical privilege was enjoyed by the freemen of the town.

On admissions to the freedom, previously to entering upon corporate offices, no fees or fines are paid.

The only Court within the town is a Court of Quarter Sessions, holden twice a year before the high steward, alderman, recorder and justice, or any two of them, of whom the alderman or recorder must be one. The jurisdiction of this court extends to all offences committed within the town, not affecting life or limb, which may usually be inquired of by justices of the peace for counties. It is not exclusive, but in fact the county magistrates do not interfere either for the commitment or trial of offenders within the limits of the town. The town magistrates always commit prisoners charged with serious offences to the county assizes or sessions; and as the inhabitants of Wokingham pay to the county rate, prisoners for trial at the town sessions, as well as those who have been sentenced there, are confined in the county gaol at Reading. Only seven cases of misdemeanour and one of felony have been tried at the town sessions within the last six years. It was stated that many more cases would have

High Steward;
how elected.

Recorder or Under-
Steward; how
elected.

Justice.

Town Clerk; how
elected.

Serjeant at Mace.

Inferior Officers.

Freemen.

Courts:
Sessions.

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been tried at Wokingham, had it been practicable to form an arrangement with the county magistrates for the allowance of the costs of prosecutors and witnesses in such cases out of the county rate. It seems obvious that some expense would be saved to the county rate by such an arrangement; and the individuals who at present form the town magistracy are persons of education and intelligence, and fully qualified to try such cases as would be likely to come before them.

The fees taken at the town sessions are the same as those allowed at the county sessions.

Court of Record.

By the charter of James I. a Court of Record for the trial of all kinds of actions in which the debt or damages do not exceed 10*l.* in amount may be holden every Friday, before the alderman, recorder and capital burgesses, or any three of them. This court has been discontinued for nearly a century. It was suggested that a revival of this court would be advantageous to the inhabitants; and the corporation evinced a disposition to make the experiment.

Juries.

The Juries for the sessions are summoned by the serjeant at mace, under a precept from the alderman. The grand jurors are taken from the principal householders of the town, and the petty jurors from the rated inhabitants generally.

Police.

There is no Police at the disposal of the corporation. One night watchman is employed, who is paid by a subscription among the inhabitants.

Gaol.

There is no Gaol in the town; and two small lock-up houses provided by the corporation, are only used as places of temporary confinement.

Property.

The whole Property of the corporation consists in the town hall, some small quit-rents, and the tolls; and that property may literally be said to be less than nothing, as the inconsiderable income arising from the tolls and quit-rents is more than absorbed by the expenses of the town-hall.

The charter of James I. confirms to the alderman and burgesses the profits of certain "void and waste grounds" previously holden by them; and a few instances of licenses to build on the wastes, and of small sums paid for trees cut upon them, appear on the corporation minutes; but all traces of this property, which was probably never considerable, are now lost; though some quit-rents amounting to less than 1*l.* a year are still received. It is however quite clear, that within the last 200 years the corporation never possessed much more property than they do at present; abundant proofs of their poverty within that period appear upon their minutes. In 1675, a lock-up house was built at an expense of 4*l.* 9*s.* 10*d.* which was contributed in small proportions by individual members of the corporate body; so in 1699, the expense of actions brought to enforce their right to the tolls of the market, was defrayed by a subscription among themselves; and in 1758, when a new mace was required, which cost, after allowing for the old mace, 24*l.* 4*s.* 4*d.* the corporate fund was altogether insufficient to pay for it, and the deficiency of 9*l.* 9*s.* was made up by the recorder and eight other members of the corporation, "in deposits of 1*l.* 1*s.* each, to be refunded as money came in." The expense of their festivities and hospitalities on public occasions, such as the election of their high steward, and even of their ordinary sessions entertainments, has at all times been defrayed by subscription among themselves.

The necessary repairs of the town-hall have always been a heavy weight upon the corporation, and, as above stated, it has usually been thrown upon the alderman for the time being, who has been required to pay certain sums for that purpose out of the tolls received by him. Notwithstanding this constant application of small sums for repairs, the building became dilapidated; and in the year 1819, an extensive and complete repair, which cost upwards of 1,100*l.* was absolutely necessary. A subscription was made among the inhabitants, who occasionally use the building for public purposes, in order to defray this heavy expense, and a considerable sum was raised in this manner; but the residue of the money was paid by individual members of the corporation, who agreed to take their repayment by instalments. By means of the payment of 10*l.* a year by the alderman from the tolls, and of 2*l.* a year by each member of the corporation, this debt has now been reduced to about 60*l.*

Patronage.

The corporation have no Patronage, excepting the appointment of the objects of some small charities.

Local Acts.

There are no Local Acts relating to the town.

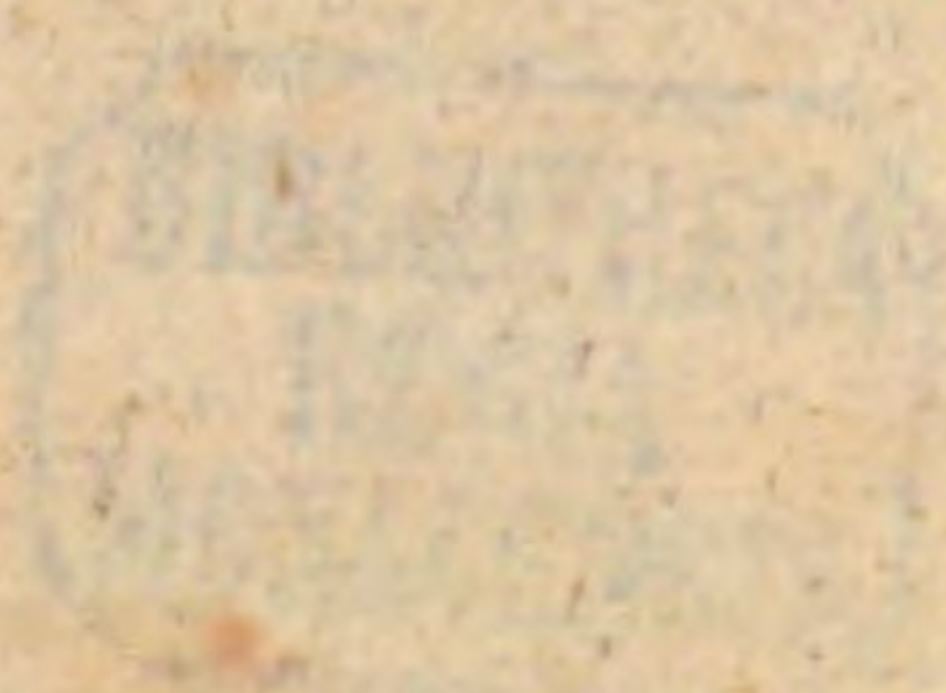
General Prospects.

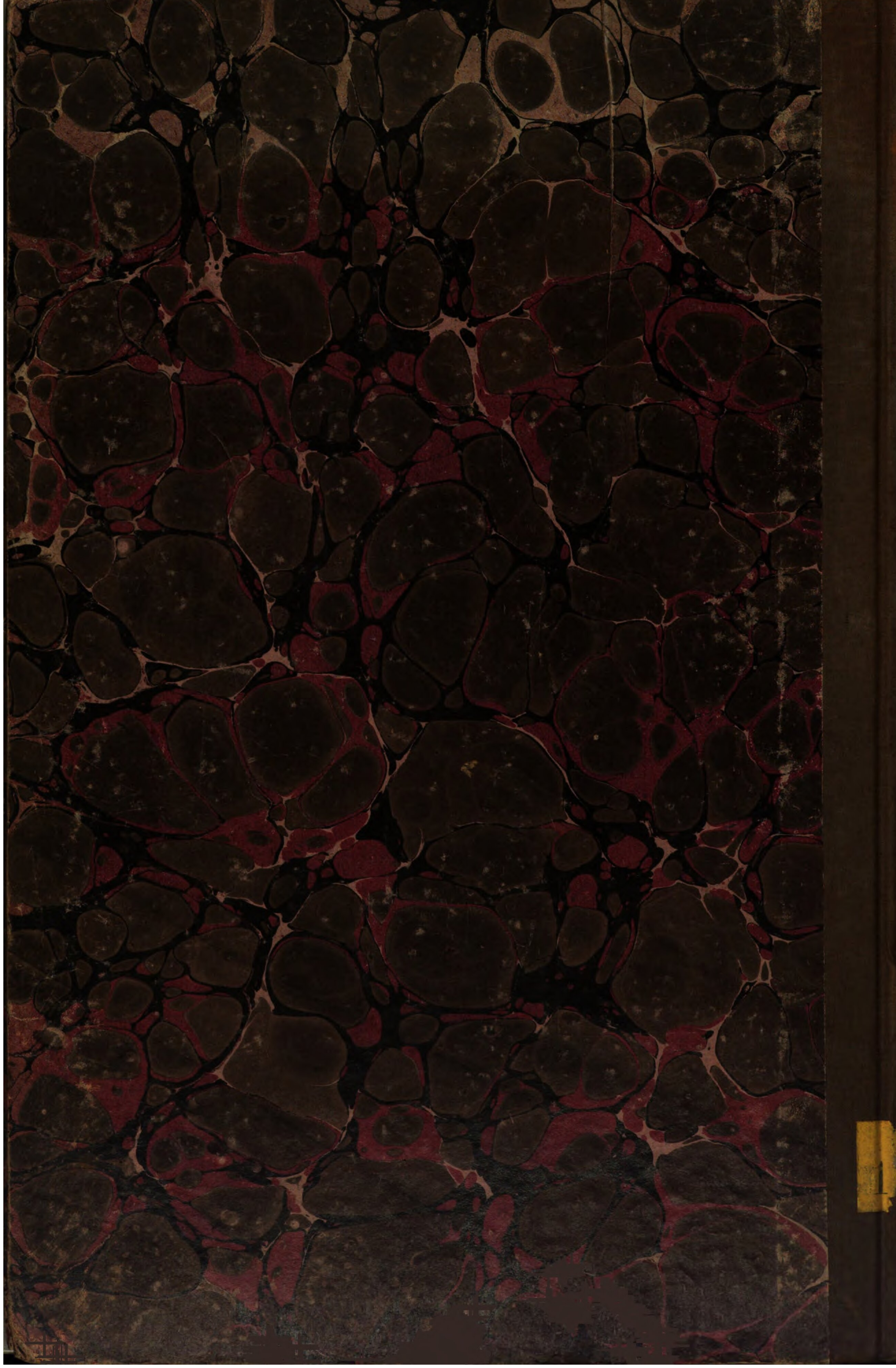
Neither the present situation nor the future prospects of the town of Wokingham, furnish any reasonable expectation of advantage from a local jurisdiction equivalent to the expense of a corporate establishment. There is no staple manufacture, nor any considerable amount of trade; and though the population of the three divisions of the parish exceeds 3,000, little more than half of that number are employed in trade or manufactures. The population has increased, but not materially, since the census in 1821, and the amount levied for the use of the poor within the last few years has been considerably reduced.

Temple, Nov. 24, 1833.

David Jardine.







Reports from places in any district Municipal Corporations in England and
Wales

[London] [1834]

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